

HISTORY OF ENGLAND

FROM

THE FALL OF WOLSEY

TO

THE DEATH OF ELIZABETH.

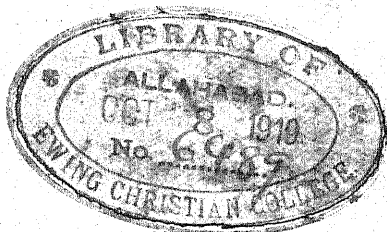
BY

JAMES ANTHONY FROUDE, M.A

LATE FELLOW OF EXETER COLLEGE, OXFORD.

REIGN OF ELIZABETH.

VOLUME III.



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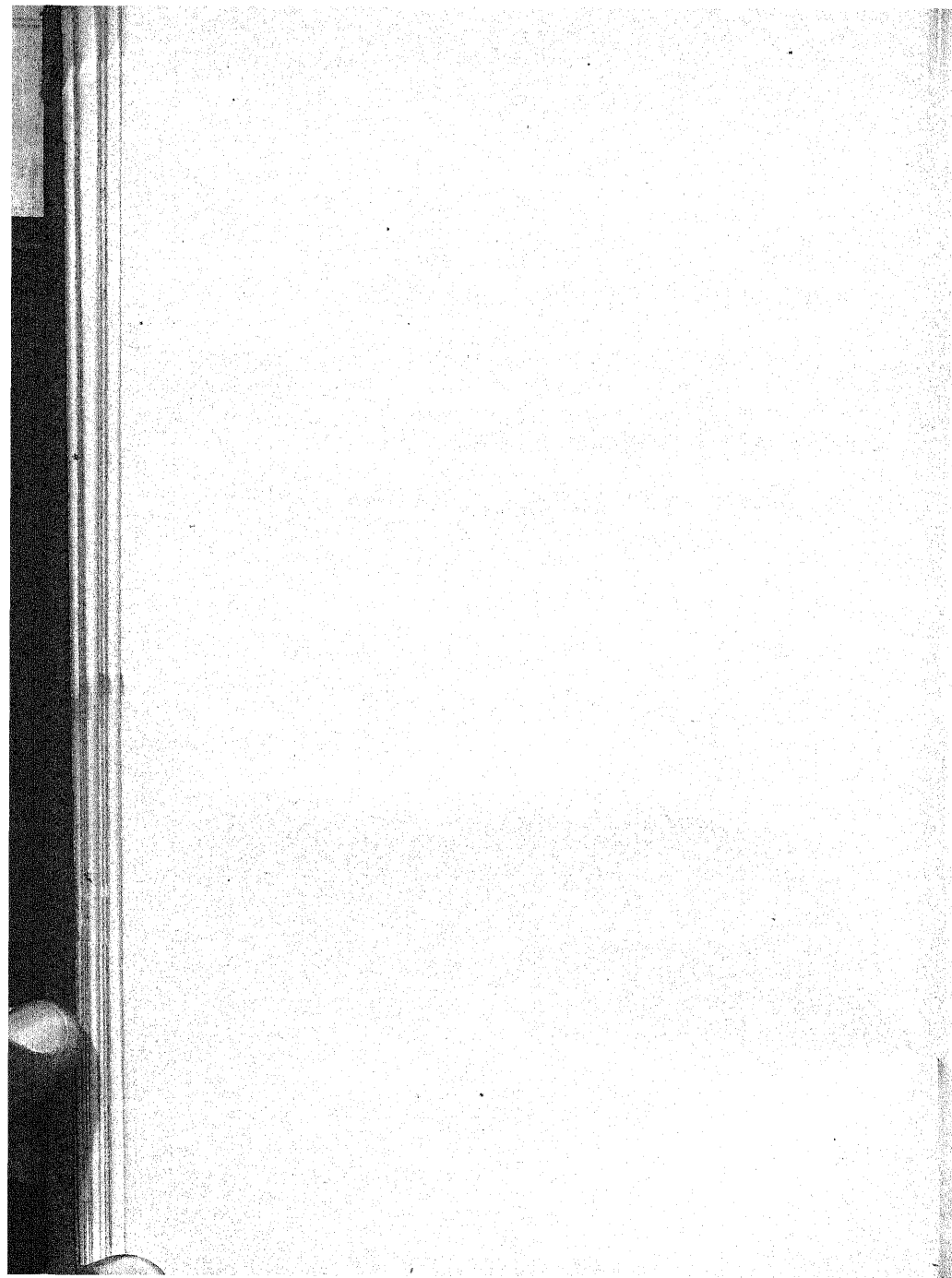
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CHAPTER XIII.

ENORMOUS crimes are not subjects on which it is desirable to stimulate curiosity, and had the assassination of Darnley been no more than a vulgar act of wickedness; had the mysteries connected with it and the results arising from it extended only to the persons, the motives, and the escape or punishment of the perpetrators or their accessories, it might have remained a problem for curious speculation, but it would neither have deserved nor demanded the tedious attention of the historian. Those events only are of permanent importance which have either affected the fortunes of nations or have illustrated in some signal manner the character of the epochs at which they have occurred. If the tragedy at Kirk-a-Field had possessed no claim for notice on the first of these grounds, deeds of violence were too common in the great families of Scotland in the sixteenth century to have justified a minute consideration of a single special act of villany.

But the death of the husband of the Queen of Scots belongs to that rare class of incidents which, like the murder of Cæsar, have touched the interests of the entire educated world. Perhaps there is no single recorded act, arising merely out of private or personal passions, of which the public consequences have been so considerable. The revolution through which Scotland and England were passing was visibly modified by it; it perplexed the counsels and complicated the policy

of the great Catholic Powers of the Continent ; while the ultimate verdict of history on the character of the greatest English statesmen of the age must depend upon the opinion which the eventual consent of mankind shall accept on the share of the Queen of Scots herself in that transaction. If the Queen of Scots was the victim of a conspiracy, which at the present day and with an imperfect case before us can nevertheless be seen through and exposed, it is impossible to believe that men like Sir William Cecil, Sir Nicholas Bacon, or Lord Bedford were deceived by so poor a contrivance ; and as the vindication of the conduct of the English Government proceeds on the assumption of her guilt, so the determination of her innocence will equally be the absolute condemnation of Elizabeth and Elizabeth's advisers.

Yet the difficulty of the investigation has been occasioned only by the causes which make it necessary. Had the question been no more than personal, it would long ago have been decided ; but we have to do with a case on which men have formed their opinions, not on the merits of the evidence, but through the passions or traditions of the party to which they have belonged. The interests of the Catholics required at the time that a plea of innocence on behalf of the Queen of Scots should formally be preferred before the world. The same cause, reinforced by the later political sympathies of the adherents of the Stuarts, converted afterwards the formal plea into a real one. And thus things once considered certain, and against which no contemporary evidence can be adduced deserving to be called by the name, have been made doubtful by the mere effect of repeated denial. Conjectures have been converted into facts by hardy assertions ; and now

when the older passions are cooling down, sentimentalism prolongs the discussion with the materials accumulated to its hand.

It is, therefore, of the highest importance to ascertain the immediate belief of the time at which the murder took place, while party opinions were still unshaped and party action undetermined. The reader is invited to follow the story as it unfolded itself from day to day. He will be shown each event as it occurred, with the impressions which it formed upon the minds of those who had best means of knowing the truth. He will see the judgment passed upon the conduct of the Queen of Scots, both by friend and foe, before the explanations and interpretations which form her general defence had as yet been put forward by her advocates; and thus when he comes to the circumstances under which these explanations were laid before the world, he will be in a position to judge for himself the degree of credibility which attaches to them.

Taking up the narrative therefore where it was left in the 10th chapter of this history, the reader will consider himself at Holyrood on the morning of the 10th of February. By the time that day had broken, the King's death, and the apparent manner of it, was known throughout the town. The people were rushing about the streets. The servants of the Court were talking eagerly in knots about the quadrangle of the palace. It was ascertained at the lodge that the Earl of Bothwell or some of his people had passed out after the Queen had returned the preceding night, and had entered again after the explosion. An instinct, explained by the character of the man, pointed at once to the earl as the assassin; and as Paris the French page crossed the court to his master's room, "all men

looked askance at him," and read guilt in his white cheeks and shuffling movements.¹

The Ormistons, Dalgleish, Powry, Hepburn, and the other conspirators were already collected as he entered. Bothwell asked him savagely why he stood shaking there, with such a hangdog look upon him. He said miserably that he was afraid of being found out and punished. "You?" said the Earl, glaring at him, "you? Yes, you are a likely person to be suspected. Look at these gentlemen. They have lands and goods, wives and children, and they have risked them all in my service. The sin, if sin it be, is mine, not yours. I tell you the Lords of Scotland have done this deed. A wretch like you is safe in your insignificance." Collecting his spirits as he could, Paris went to the apart-

¹ Nicholas Hubert, *alias* French Paris, was Bothwell's page. He left Scotland soon after the murder, being too much terrified to remain there, and for eighteen months was supposed to have been drowned. But he had probably spread the report himself, that there might be no further enquiry after him. It was discovered afterwards that he had rejoined his master in Denmark, and in the early summer of 1569 the Regent Murray or the Regent Murray's friends got possession of his person "by policy." In some way or other he was kidnapped and brought over to Leith. His capture was carefully kept secret. He was taken privately to St. Andrew's, where the Regent happened to be, and examined by George Buchanan, Robert Ramsay, Murray's steward, and John Wood, his confidential secretary. Paris made two depositions, the first not touching Mary Stuart, the second fatally implicating her. This last was read over in his presence. He signed it, and was then executed, that there might be no retraction or contradiction. The haste and the concealment were intended merely to baffle Elizabeth, who it was feared would attempt to get hold of him and suppress his evidence. She did in fact hear that he was in the Regent's hands, and she instantly wrote to desire that his life might be spared, but it was too late to be of use to the poor wretch. The anticipation of her interference had hastened his death; he was hanged before her letter arrived, and his deposition countersigned by the examiners, which is now in the Record Office, was forwarded in reply. — Depositions and declarations of Nicholas Hubert, August, 1569: *MSS. Scotland, Rolls House*. Depositions of French Paris, printed in Pitcairn's *Criminal Trials*, and in Goodall, Vol. II. p. 76. For the account of Paris's capture and Elizabeth's letter, see also *MSS. Scotland, Rolls House*.

ments of the Queen, where Bothwell followed him directly after. Mary Stuart had slept soundly, but was by this time stirring. The windows were still closed. The room was already hung with black and lighted with candles. She herself was breakfasting in bed, eating composedly, as Paris observed, a new-laid egg.¹ She did not notice or speak to him, for Bothwell came close behind and talked in a low voice with her behind the curtain.

Whatever may or may not have been her other bad qualities, timidity was not one of them; and if she was innocent of a share in the murder, her self-possession was equally remarkable. Her husband, the titular King of Scotland, had been assassinated the night before in the middle of Edinburgh not two hours after she had herself left his side. The perpetrators were necessarily men about the Court, and close to her own person. She professed to believe that she was herself the second object of the conspiracy, yet she betrayed neither surprise nor alarm. The practical energy at other times so remarkable was conspicuously absent. She did not attempt to fly. She sent for none of the absent noblemen to protect her; the vigour, the resolution, the fiery earnestness which she had shown on the murder of Ritzio — of these there was no outward symptom. Leaving the conspirators to meet in Council and affect to deliberate, she spent her morning in writing a letter to the Archbishop of Glasgow, her ambassador in Paris, informing him of the catastrophe: declaring her resolution, which it might have been

¹ Le Lundy matin entre neuf et dix heures, le dict Paris dict qu'il entre dans la chambre de la Reyne, laquelle estoit bien close, et son liet la tendu du noir en signe de deuil, et de la chandelle allumée dedans icelle, la ou Madame de Bryant luy donnoit à déjeuner d'ung œuf frais. — *Second deposition* c. Paris: Pitcairn, Vol. I. part 2, p. 509.

thought unnecessary to insist upon, of punishing the murderers as soon as they should be discovered. But she took no active steps to discover them. Lennox, Darnley's father, was at Glasgow or near it, but she did not send for him. Murray was within reach, but she did not seem to desire his presence ; although she told the Archbishop that only accident had interfered with her intention of spending the previous night at Kirk-a-Field, — that “ whoever had taken the enterprise in hand, it had been aimed as well at herself as at the King, since the providence of God only had prevented her from sleeping in the house which was destroyed.”¹

Later in the day a despatch came in from the Archbishop himself, containing a message to her from Catherine de Medici that her husband's life was in danger, and another letter to the same effect from the Spanish Ambassador in London ; but, alas ! as she said in her reply, “ the intimation had come too late.” The plot, it seems, was known in Paris, and known to De Silva ; yet she, if she was to be believed, was innocent of all suspicion of it.

In the afternoon there was a faint show of investigation. Argyle and Bothwell went to inspect the ruins. The body was brought down to Holyrood, and the servants who had survived the explosion and the inhabitants of the adjoining houses were sent for and questioned. They could tell but little, for who, it was

¹ The letter of the Queen of Scots to the Archbishop is printed both by Keith and Labanoff. It is dated February 11. But there is an evident mistake, or the Queen added the date the day after the letter was written, for she describes the murder as having been committed on the night past, being February 9 ; and in a second letter, written a week after, she says, “ we received your letter upon the 10th of this instant, and that same day wrait to you.” — Mary Stuart to the Archbishop of Glasgow, February 18 Labanoff, Vol. II.

said, "dared accuse Bothwell, who was doer, judge, enquirer, and examiner?"¹ Even so, however, and in the midst of their alarm, awkward hints and facts were blurted out which it was desirable to keep back, and the witnesses were not pressed any further.

The next morning² (Tuesday) a proclamation appeared, signed by Bothwell, Maitland, and Argyle, offering a reward of 2000*l.* for the Feb. 12. discovery of the murderer, with a free pardon to any accomplice who would confess. In the evening after dusk, an anonymous placard was fixed against the door of the Tolbooth, accusing Bothwell and Sir James Balfour as the immediate perpetrators, and containing, in addition, the ominous words, "that the Queen was an assenting party, through the persuasion of the Earl Bothwell and the witchcraft of the Lady Buccleuch."²

Surrounded by his own retainers, with every member of the Council at Edinburgh, if not as guilty as himself yet implicated too deeply to act against him, Bothwell met the challenge with open defiance. In a second proclamation he invited his accuser to Feb. 13. come forward, prove his charge, and claim his reward. An answer instantly appeared, again unsigned, but declaring that if the 2000*l.* was produced and was deposited in some indifferent hand, and if two of the Queen's servants, Bastian and Joseph Ritzio,

¹ Buchanan.

² Margaret Douglas, wife of Sir Walter Scott of Buccleuch, was the daughter of the Earl of Angus, and cousin of Morton. Like her sister Lady Reres, she had been one of the many mistresses of Bothwell, and it was by her that the Earl had been especially recommended to the notice of Mary Stuart. She does not appear to have been a very modest lady. Sir William Drury, writing to Cecil, said, "I dare not deliver unto your honour the Lady Buccleuch's speech, yea, openly, of her telling the cause that she bred his greatness with the Queen by, nor of her speech of the Queen, nor of his insatiation towards women." — Drury to Cecil, May, 1567: *Border MSS. Rolls House.*

David's brother, were arrested, the writer, and "four others with him," would declare themselves and make good their words. Perhaps the names mentioned suggested too close a knowledge of dangerous facts. The men were not arrested, and the Council said no more; but as the silence and inaction continued, the tongues of all men were loosed, and the thoughts which were in the minds of every one burst into the air. Midnight cries were heard in the wynds and alleys of Edinburgh, crying for vengeance upon the Queen and Bothwell. Each day as it broke showed the walls pasted with "bills," in which their names were linked together in an infamous union of crime — and, bold as they were, they were startled at the passionate instinct with which their double guilt had been divined. Fifty desperate men guarded the Earl whenever he appeared in the street. If he spoke to any one "not assured his friend, his hand was on his dagger hilt;" and he swore savagely, "that if he knew who were the setters up of the bills and writings, he would wash his hands in their blood."¹

The atmosphere of Edinburgh grew unpleasant. The Court thought of removing into easier and safer quarters at Stirling, and an intimation was conveyed to Lord Mar, who was in charge of the castle, that the Queen wished to be his guest. Mar, however, declined to admit within the gates a larger force than he could keep in order, and Bothwell dared not leave his followers behind him. The hereditary guardian of the Prince was too important a person to quarrel with, and it was necessary to put up with the refusal.²

¹ Drury to Cecil, February 28: *Border MSS.*

² "The Earl of Mar is not the best liked of, for he might have had guests

Secured as he was of the support or silence of the principal noblemen, Bothwell had evidently not been prepared for such an outburst of emotion about a mere murder. A thrust with a dirk or a stroke with a sword was the time-hallowed and custom-acknowledged method of ridding the world of an enemy. The pitiful desertion of his companions after Ritzio's murder had left Darnley almost without a single friend; and but for a new spirit which was pouring with the Reformation into Scottish life, the mere destruction of a troublesome boy would have been but the wonder of a day, forgotten in the next tragedy. This change of times, however, was not understood till it was felt, and it was supposed that a short absence of the Court would give time for passion to cool. Forty days of close seclusion was the usual period prescribed for Royal mourning; but the Queen found the confinement injurious to her health, and, as Stirling was impracticable, she turned her thoughts elsewhere.¹ Darnley was privately buried at Holyrood on the night of the 15th; his horses and clothes were given to Bothwell;² and on the morning of the 16th, Mary Stuart, attended by Bothwell, Huntly, Argyle, Maitland, Lords Fleming, Livingston, and a hundred other gen-

But he will have no more than such as he may rule. He hath been dealt with, but he will not yield."—Sir William Drury to Cecil, February 19: *Border MSS.*

¹ Leslie, Bishop of Ross, the first champion "of Queen Mary's honour," gives a singular reason for her neglect of the usual observance on this occasion. As to the forty days of mourning, he said, which ought to have been kept, "Kings might be mourned for in that way; but Darnley was only a king by courtesy; he was a subject, and took his honour from his wife, and therefore her Grace mourned after another sort."—*Defence of Queen Mary's Honour*, printed by Anderson.

² The clothes were sent to a tailor to be altered for their new owner. The tailor said it was the custom of the country, the clothes of the dead were always the right of the hangman. — Calderwood.

tllemen, rode away to the house of Lord Seton, near Preston Pans. The Archbishop of St. Andrew's, the Primate of Scotland, gave the party the sanction of his right reverend presence. As a Hamilton he could not but look with favour on the destruction of the heir of the rival house of Lennox. The Queen was committing herself to a course, of which the end, to his experienced eyes, was tolerably clear; and Mary Stuart once out of the way, Chatelherault, by prescriptive right, would again become Regent, and the baby-Prince alone remain between the House of Hamilton and the Scottish crown.¹

Lord Seton entertained the royal party in person. The Queen, relieved from the suggestions and reminiscences of Edinburgh, recovered rapidly from the indisposition which was the excuse of her departure. The days were spent in hunting and shooting, varied only with the necessary attention to immediate and pressing business. Elizabeth was to be written to. She could not be left without formal information of her cousin's death; and Sir Robert Melville, whom Elizabeth knew and liked, was chosen as the bearer of the communication. The Queen of England had objected so strongly to the original marriage with Darnley, and had been so indignant and alarmed at the consummation of it, that it was doubtless expected that she would accept placidly the news that he was put out of the way. To sweeten the information still further, and remove all possible unpleasantness, Mary Stuart em-

¹ The false dealing of the Hamiltons, which in the sequel will appear more clearly, was seen through at the time. Sir William Drury wrote, "It is judged the Bishop of St. Andrew's encourages the Queen and Bothwell in this manner to proceed not from any goodwill to either of them, but for both their destructions the rather to bring his friends to their purpose." — *Drury to Cecil*, May 6: *Border MSS.*

powered Melville to say that she was now prepared to yield on the great point which she had so long contested, to ratify the disputed clause in the treaty of Leith, and abandon her pretensions to Elizabeth's crown.¹

In France also there were special matters to be arranged with convenient speed. More than once already Mary Stuart had experienced the inconvenience of the unprotected condition in which she lived at Holyrood. The sovereign, though feudal head of the military force of the kingdom, yet commanded the services of the lieges only through the noblemen to whom they owed their first obedience; and while the Earl of Argyle had but to raise his finger and 5000 breechless followers would be ready at the moment to follow him through life and death, the sovereign, if the nobles held aloof, commanded but the scanty services of the scattered vassals of the crown lands. The present prospects of the Court were at least precarious. She felt that neither she herself nor Bothwell would be the worse for the presence of a foreign guard undistracted by the passions of Scottish factions. She had, therefore, already begun the arrangements for the enrolment of a company of French harquebus men. Her French dowry would pay for them. They could be called the Prince's Guard, and Bothwell could command them. The times were growing more urgent, and she wrote a second letter

Feb. 16-24.

¹ "Quant aux trois choses qui m'ont esté communiquez par Melville, j'entends par toutes ces instructions qui continuez en grande envie de me satisfaire, et qu'il vous contentera d'octroyer la requeste que my lord Bedford vous faict en mon nom pour la ratification de vostre traicté qui 6 ou 7 ans passées en estoit faict, vous promettant que je la demandois aultant pour vostre bien que pour quelque profit qui m'en resouldra." — Elizabeth to the Queen of Scots, February 24, 1567: *MSS. Scotland, Rolls House.*

from Seton House to the Archbishop of Glasgow, desiring him to ask at once for the unpaid arrears which were owing to her; to accept no refusal; if he could not get the whole, to take as much as the Court would give; and she would then send over some one to enlist men for her service.¹

As to the murder, it was evidently hoped that nothing more need be said or done about it. The alteration which had passed over the Scottish people with the Reformation, the responsibility to European opinion, the sense of which was spreading everywhere with the growth of intellectual light, was unfelt and un conjectured by the party assembled at Seton; and as long as Huntly, Bothwell, and Argyle held together and held with the Queen, they commanded a force which for the present there was no one able to encounter.

But the Earl of Lennox, though unable to act, was not disposed to sit down thus passively.

March.

The Queen of Scots had written civilly to him, and had professed a wish to be guided by his advice; but he knew Mary's character too well to trust implicitly her general and smooth professions. He must have known the fears which Darnley had himself expressed before his removal to Kirk-a-Field. He had seen him during his illness, and could hardly have

¹ "And for the company of men-at-arms we pray you use even the like diligence to have the matter brought to pass in favour of the Prince our son, as we mentioned in our other letters sent you for that purpose; and although the whole company's payment cannot be granted, leave not off but take that which shall be offered. The captain must be our son; for the lieutenant there is none in that country (France) whom we can be content to place in that room. Upon your advertisement we shall send thither either the lieutenant or some qualified personage for him to take up his company, being aforehand assured by you that he shall speed and not find his travel frustrate; for otherwise we would be loathe that our proceeding should be known." — Mary Stuart to the Archbishop of Glasgow, February 18: *Id. banoff*, Vol. II.

been deceived about the character of it. He must have heard from Crawford the particulars of Mary Stuart's visit to Glasgow; and if the people generally, on mere outward grounds of suspicion, were already fastening upon the Queen as an accomplice in the murder, no doubt at all could have rested in the mind of Lennox. Not daring to repair to Edinburgh, he remained watching the direction of events at his house at Houston in Renfrewshire, and from thence he replied to the Queen's letter with a demand that she should instantly assemble the entire nobility of the realm to investigate the extraordinary catastrophe.

The propriety of such a course was so obvious, that if the Queen had really desired that the truth should be discovered, she would have adopted it of her own accord. No enquiry was possible while the Court and administration were under the control of a single faction. Mary Stuart, however, calmly answered that she had already "caused proclaim a Parliament," which would meet in the spring. Nothing would then be left undone to further the trial of the matter, and it was unnecessary to anticipate their assembly. Lennox rejoined that a murder was no "Parliament matter." Time was passing away, and the assassin might fly the realm in the interval. Particular persons had been publicly accused, and at least Her Majesty might order the arrest of those persons; call the Lords together, and invite the denouncers to present their evidence. "So," he said, "shall your Majesty do an honourable and godly act in bringing the matter to sic a narrow point, as either it shall appear plainly, or else the tickets shall be found vain of themselves, and the parties slandered be exonerated and put to liberty."¹

¹ Correspondence between the Earl of Lennox and the Queen of Scots, February and March, 1567, printed by Keith and by Labanoff.

A call of the peers would have brought up Murray, Athol, Mar, and possibly others who, if not Darnley's friends, yet would feel the enormity of the murder, and had no interest in the concealment of the criminals. Under their protection the yet warm scent of the assassins could be traced, some or other of them be caught, and the truth made known.

It is impossible to believe that Mary Stuart desired any such result. Quite evidently she desired to "tract time," that the excitement might die away. She answered that she could not assemble the Lords before the Parliament, "as they would think double convening heavy to them;" as to apprehending the persons named in the tickets on the Tolbooth door, there were so many that she did not know on which ticket to proceed; but, treating Lennox as if it concerned him only and not herself or public justice at all, she said that if among those accused there was any one whom he desired to have brought to trial, "upon his advertisement she would proceed to the cognition taking."¹

But Mary Stuart was not to escape so easily. Although Darnley's rank and the wild manner of his death had startled people into more than usual attention, had no interests circled about the Queen beyond those which touched herself and her own subjects, the murder might have passed but as one bad deed of a lawless age. But Mary Stuart and her proceedings were of exceptional importance, far beyond the limits of her own kingdom. Whether the Huguenôts should maintain themselves in France — whether the Netherlands were to preserve their liberties in the wrestling match which was about to open with Spain — whether, in fact,

¹ Correspondence between the Earl of Lennox and the Queen of Scots, February and March, 1567, printed by Keith and Labanoff.

the Pope and the Catholics were to succeed or fail in the great effort now to be made to trample out the Reformation — these vast matters depended on whether England should be Catholic or Protestant ; and whether England, for that generation or that century, should be Catholic or Protestant depended on whether Mary Stuart was or was not to be looked to as the heir presumptive to Elizabeth's crown.

It has been seen that the marriage with Darnley had been considered and brought about among the English Catholics with a single view to this end. The proposal when first thought of had been submitted to Philip the Second, and had received his sanction as a step of supreme importance towards the reunion of England with Rome ; while the fear and jealousy with which the marriage had been regarded by Elizabeth and Cecil showed how large advantage the Catholic cause had gained by it. Darnley stood next to Mary Stuart in the line of succession. He was an English subject, and the national jealousy of aliens did not extend to him. His own peculiar party in England, fostered as it had been by his mother's intrigues, had been as large at one time as that of the Scottish Queen herself ; and to the Great Powers, who were considering how best to recover England from heresy, the union of the two pretensions had been a triumph of political adroitness, and a matter of special gratitude to Providence. Thus when it was first whispered that the Queen of Scots and her husband were on bad terms, their differences became a prominent subject in the correspondence of the Spanish Court. Thus when darker rumours stole abroad, that Darnley's life was in danger, the Cardinal of Lorraine wrote to put the Queen on her guard ; and the Spanish ministers both in London and Paris took

upon themselves to warn her "well to govern herself, and take heed whom she did trust."¹ Thus when it became known that he was actually dead, the Queen of Scots, in the first heat of disappointment, was regarded as having trifled away the interests of a great cause, for no object but her own private indulgence. She had been admitted as a partner in a game, in which the stake was the future of the world, and she had wrecked the prospects of her party in a petty episode of intrigue and folly.

The opinion of Paris was as decided, and as decidedly expressed, as the opinion of Edinburgh. The Archbishop of Glasgow, when her letter reached him, did his best to persuade people to accept her version of the story. But Mary Stuart was too well known at the French Court, and so far from being able to convince others of her innocence, the Archbishop evidently was unable to convince himself.

"He would," he said in answer to her, "he would he could make her understand what was said of the miserable state of Scotland, the dishonour of the nobility, the mistrust and treason of her subjects."—"Yea, she herself was greatly and wrongously calumnied to be motive principal of the whole, and all done by her order." He gathered from her Majesty's letter that it "had pleased God to preserve her to take vigorous vengeance." "He could but say that rather than that vengeance were not taken, it were better in this world had she lost life and all." "Now was the time for her to show that she deserved that reputation for religion which she had gained for herself, by showing the fruits of it, and doing such justice as to the whole world might declare her innocency." "There is sa mickele

¹ Drury to Cecil, February 14: *Border MSS.*

ill spoken," he concluded, "that I am constrained to ask you mercy that I cannot make the rehearsal thereof. Alas, Madam, all over Europe this day there is no purpose in hand so frequent as of your Majesty and of the present state of your realm, whilk is for the most part interpreted sinisterly."¹

Mary Stuart would have rather heard from the Archbishop that he had obtained the money for her body-guard, and his letter must have increased her anxiety for their arrival. If she was innocent all this time, the ground must have been prepared beforehand with marvellous skill. Before any evidence, genuine or forged, had been produced against her, on the first news of the catastrophe, the general instinct had settled upon her as the principal offender. If there be a difficulty in believing that so young a Princess would have lent herself to such a crime, it is singular that her friends in Paris, who were most interested in her well-doing, should have jumped so readily to so hard a conclusion.

It has been already mentioned² that, among the first to bring the news to London was Moret, minister of the Duke of Savoy at Mary Stuart's Court, in whose train David Ritzio had originally come to Scotland. The opinion of Moret — a Catholic, a warm friend of the Queen and fresh from the scene — is of considerable moment. The second day after the murder he hurried away from Edinburgh, "better pleased with his return," as he explained to Sir William Drury on his passage through Berwick, than when he went that way to the scene of his embassy. On reaching London he hastened to the Spanish Ambassador. He was cau-

¹ The Archbishop of Glasgow to Mary Stuart, March 6, printed by Keith

² *Supra*, cap. 10.

tious in what he said; but when De Silva cross-questioned him about the Queen, although he did not expressly condemn her, he said not a word in her exculpation, and left the ambassador certainly to infer that he suspected her to have been guilty.¹ He mentioned, among other circumstances, one which had left a painful impression upon him. Darnley, it seems, had intended to present a pair of horses to the Duke of Savoy, and a day or two before his death had told the Queen that he wished to see Moret. She had said in answer that Moret was so angry about Ritzio's murder that he would not go near him: she had not the slightest ground for such a statement, and had only wished to prevent the interview.²

On the 19th, Sir Robert Melville arrived with Mary Stuart's letter. From him De Silva learnt further particulars, but again nothing to reassure him. Melville indeed said that the Queen was innocent; but he grew confused when he was pressed closely,³ and his defence was made more difficult when it became known that, instead of remaining in retirement at Holyrood, the Queen was amusing herself with her cavaliers at Seton.

Among the loudest to exclaim against her was Lady Margaret Lennox, Darnley's mother, the maker of the match which had ended so disastrously. This lady had been hitherto expiating her offences in that matter in a room in the Tower. She was released immediately after the murder, and was besieging the Court with her clamours. Melville complained of her language

¹ "Por las quales parece que induce sospecha de haber sabido o permitido la Reyna este tratado; y aun apuntandole que me dixese lo que le parecia conforme a lo que el habia visto y colegido, si la Reyna tenia culpa dello, aunque no la condeñó de palabra no la salbó nada." — De Silva to Philip, March 1, 1567: *MS. Simancas*.

² *MS. Ibid.*

³ "Verle algo confuso." — De Silva to Philip, February 22: *MS. Ibid.*

to De Silva, but De Silva could not refuse to sympathise with her.

"I told Melville," he wrote, "that I was not surprised. The wisest men would at times forget themselves in excess of sorrow, much more a woman in a case so piteous. For it is not she alone who suspects the Queen to be guilty of the murder; there is a general opinion that it has been done in revenge for the Italian secretary.¹ The heretics declare her guilt to be certain, their dislike of her assisting their suspicions. The Catholics are divided. The King's party are violent and angry. Her own friends defend her. It is scarcely conceivable that a Princess who had given so many proofs of piety and virtue should have consented to such a business; but should it so turn out to have been, she will lose many friends, and the restoration of the Catholic faith in this realm through her instrumentality will have become more difficult. I have done all that was possible both with the Queen of England and others, as in your Majesty's service I am bound to do; and inasmuch as the interests at stake are so considerable, I have entreated her Highness to take no positive step without consulting those who are good friends to your Majesty. However it be, the consequences cannot fail to be serious. This Queen, perhaps, may use the opportunity to interfere in Scotland, not for any love which she felt for the late king, but for her own purposes, the circumstances appearing to furnish her with a reasonable excuse."²

The belief in Mary Stuart's innocence, it thus appears, was limited to a single fraction of the English

¹ De Silva to Philip, February 22: *MS. Simancas*.

² Same to same, February 17, February 22, February 26: *MS. Ibid.* The words in the text are extracted from three different despatches.

Catholics — in other words, to those whose interests inclined them to a favourable judgment of her. But there was one person who, if the popular theory of the relation between the two sovereigns is correct, should have rushed at once, under all the influence of public and personal jealousy, to the most unfavourable conclusion, and yet who suspended her judgment and remained incredulous. Elizabeth herself received the news of the murder with profound emotion. She was in mourning when she admitted Moret to an audience. Melville and his message were both eminently unsatisfactory, and she was convinced that there was some concealed mystery which the Queen of Scots could have explained more fully if she had chosen. Measures of precaution were taken at the palace for the better security of Elizabeth's own sleeping rooms, and the guard was sifted and scrutinised. She told De Silva that, much as she had disapproved of the marriage, the murdered Prince was her cousin, and she must insist upon an enquiry into the circumstances; yet, however the world might murmur, she could not believe that the Queen of Scots was herself accessory to his death. She dwelt upon every point in the story which seemed to make for her. The report that she was gone with Bothwell to Seton she rejected as utterly incredible till it was proved beyond possibility of doubt.

De Silva, notwithstanding his private opinion, encouraged her scepticism. More than one English nobleman who had hitherto favoured the Scottish succession, had declared himself as intending for the future to advocate the rival claims of Lady Catherine Grey, who, though dying slowly of harsh treatment, had yet some months of life before her, and had borne children

of ambiguous legitimacy to inherit what right she possessed. Elizabeth regarded this unfortunate woman with a detestation and contempt beyond what she had felt at the worst times for Mary Stuart. De Silva knew her temper, and worked upon her jealousy by suggesting a likelihood of some movement in Lady Catherine's favour.¹

She said she would at once send some one down to Scotland to enquire into the truth, and enable her to silence the scandalous reports which were flying. The Queen of Scots might have been deeply in fault; she had been on bad terms with her husband; she had, perhaps, felt little regret for his death, and had been culpably unwilling to discover or punish the criminals; but Elizabeth was jealous of the honour of a sovereign princess, and this was the worst which she would allow.

Both she and Cecil thought the opportunity a favourable one for terminating the disorders of Scotland, and saving Mary Stuart herself from the perils in which her carelessness and folly were involving her. If the treaty of Leith was now ratified, it had been all along understood that the recognition of Mary Stuart as Elizabeth's heir would speedily follow. The two countries would then at no distant time be united, and the occasion might be used, when Mary Stuart's critical position would secure her compliance, to urge her to accept for herself the modified Protestantism of England, and to revive the old project of a preliminary union of the Churches.

However unseasonable the intrusion of such a subject at such a crisis may at first sight appear, it proves at any rate that Elizabeth did not as yet contemplate

¹ De Silva to Philip, February 22: *MS. Simancas*.

the probability of a quarrel with her cousin as one of the consequences of the murder, or she would not have chosen the time to propose a measure which would necessarily draw them closer together. The more it is considered, the more evidently it will be seen to have been a token of essential good-will, and therefore in the main of confidence. Sir Henry Killigrew was chosen as the instrument of this well-intended but entirely useless diplomacy. He was directed to sound the ministers of the Kirk on the possibility of their being induced to consent; while Cecil by letter invited Maitland to work upon the Queen of Scots.¹

This was part of Killigrew's mission. The other was to ascertain, as far as possible, the truth about the murder, and to impress on Mary Stuart herself a keener sense than she seemed to feel of her faults, of her duties, and of her danger. It was the same advice which had been urged upon her by the Archbishop of Glasgow, and Elizabeth, to give it emphasis, wrote to her with her own hand:

"Madam," she said, "my ears have been so astounded, my mind so disturbed, my heart so shocked at the news of the abominable murder of your late husband, that even yet I can scarcely rally my spirits to write to you; and however I would express my sympathy in your sorrow for his loss, so, to tell you

¹ Cecil's letter on the subject has not been found, but Maitland's answer to it survives. Maitland was glad of anything which would divert the minds of Elizabeth and Cecil from dangerous ground. "For the mark," he wrote, "to which you do wish in your letter I should shoot at, to wit that Her Majesty would allow your estate in religion, it is one of the things on earth I most desire. I dare be bold enough to utter my fancy in it to Her Majesty, trusting that she will not like me the worse for uttering my opinion and knowledge in that which is profitable for her every way; and I do not despair but although she will not yield at the first, yet with progress of time that point shall be obtained." — Maitland to Cecil, March 13. *MSS. Scotland, Rolls House.*

plainly what I think, my grief is more for you than for him. Oh, Madam, I should ill fulfil the part either of a faithful cousin or of an affectionate friend, if I were to content myself with saying pleasant things to you and made no effort to preserve your honour. I cannot but tell you what all the world is thinking. Men say that, instead of seizing the murderers, you are looking through your fingers while they escape; that you will not punish those who have done you so great a service, as though the thing would never have taken place had not the doers of it been assured of impunity.

“For myself, I beseech you to believe that I would not harbour such a thought for all the wealth of the world, nor would I entertain in my heart so ill a guest, or think so badly of any Prince that breathes. Far less could I so think of you, to whom I desire all imaginable good, and all blessings which you yourself could wish for. But for this very reason I exhort, I advise, I implore you deeply to consider of the matter—at once, if it be the nearest friend you have, to lay your hands upon the man who has been guilty of the crime—to let no interest, no persuasion, keep you from proving to every one that you are a noble Princess and a loyal wife. I do not write thus earnestly because I doubt you, but for the love which I bear towards you. You may have wiser councillors than I am—I can well believe it—but even our Lord, as I remember, had a Judas among the twelve: while I am sure that you have no friend more true than I, and my affection may stand you in as good stead as the subtle wits of others.”¹

¹ Elizabeth to the Queen of Scots, February 24 (the original is in French): MSS. Scotland, Rolls House.

Supposing the Queen of Scots to have been really free from the deepest shade of guilt, her warmest friend could not have written more kindly or advised her more judiciously. To have followed the counsel so given, had the power been left her, would have been to defeat the hopes of all who desired her ruin, and to recover to herself that respect and honour which, whether guilty or innocent, she was equally forfeiting.

Mary Stuart, however, for the present was incapable of receiving advice, nor did Elizabeth's words reach the exigencies of her position. The accounts which reached her from so many sides might indeed have revealed to her the storm which was gathering, and so have awakened her fears; but of fear she was constitutionally incapable. The arrival of Elizabeth's messenger touched her only so far that it recalled her to the necessity of observing the forms of decency, and when she heard that some one was coming, she hastened back to Holyrood just in time to receive him. Killigrew reached Edinburgh on the 8th of March, one day behind her. He was entertained at dinner by the clique who had attended her to Seton, and in the afternoon was admitted to a brief audience. The windows were half closed, the rooms were darkened, and in the profound gloom the English Ambassador was unable to see the Queen's face, but by her words she seemed "very doleful." She expressed herself warmly grateful for Elizabeth's kindness, but said little of the murder, and turned the conversation chiefly on politics. She spoke of Ireland, and undertook to prevent her subjects from giving trouble there; she repeated her willingness to ratify the treaty of Leith, and professed herself generally anxious to meet Elizabeth's wishes. With these general expressions she

perhaps hoped that Killigrew would have been contented, but on one point his orders were positive. He represented to her the unanimity with which Bothwell had been fastened upon as one of the murderers of the King; and before he took his leave he succeeded in extorting a promise from her that the Earl should be put upon his trial.¹ His stay in Scotland was to be brief, and the little which he trusted himself to write was extremely guarded. The people he rapidly found were in no humour to entertain questions of Church policy. The mind of every one was riveted on the one all-absorbing subject. As to the perpetrators, he said there were "great suspicions, but no proof," and so far "no one had been apprehended." "He saw no present appearance of trouble, but a general misliking among the commons and some others which abhorred the detestable murder of their King, as a shame to the whole nation — the preachers praying openly that God would please both to reveal and revenge — exhorting all men to prayer and repentance."²

One other person of note he saw, and that was the Earl of Murray — Murray, whose conduct in these matters has been painted in as black colours as his sister's was painted by Buchanan. Murray since the murder had remained quiet — doing nothing because he saw nothing which he could usefully do. He had made one effort to arrest Sir James Balfour, but he had been instantly crossed by Bothwell,³ and he could stir no further, without calling on the commons to take

¹ "The size for the Earl's trial is the rather done by the Queen for the observing of her promise to Mr. Killigrew, for she said and assured him that the Earl should be put upon his trial." — Drury to Cecil, March 29. *Border MSS. Rolls House.*

² Sir H. Killigrew to Cecil, March 8: *MSS. Scotland Rolls House.*

³ Sir John Foster to Cecil, March 3: *Border MSS.*

arms — a desperate measure for which the times were not yet ripe. He was therefore proposing to withdraw as quietly as possible into France. He wrote by Killigrew's hands to Cecil for a safe-conduct to pass through England, and careful only not to swell the accusations which were rising against the Queen, he entreated that neither Cecil nor any one "should judge rashly in so horrible a crime." ¹

With this, and the letter from Maitland about the union of the Churches, Killigrew in less than a week returned to London. No sooner was his back turned than the Queen went again to Seton; and now for the first time it began to be understood that, although Bothwell was to be tried for the King's murder, he was intended for the King's successor, and that at no distant time the Queen meant to marry him. He had a wife already indeed, as the reader knows — a Gordon, Lord Huntly's sister, whom he had but lately wedded; but there were means of healing the wound in the Gordons' honour, by the restoration of their forfeited estates; and Huntly it seems, though with some misgivings, was a consenting party in the shameful compact.

We are stepping into a region where the very atmosphere is saturated with falsehood; where those who outwardly were bosom friends were plotting each other's destruction, and those who were apparently as guilty as Bothwell himself were yet assuming an attitude to him, at one moment of cringing subserviency, at the next of the fiercest indignation; where conspiracy was spun within conspiracy, and the whole truth lies buried beyond the reach of complete discovery. Something, however, if not all, may be done towards unravelling the mystery.

¹ Murray to Cecil, March 13: *MSS. Scotland.*

There is much reason to think that the intention of assassinating the unlucky Henry Darnley was known far beyond the circle of those who were immediately concerned in the execution of the deed. It had been foreseen from the first by those who understood his character, and who knew how inconvenient people were disposed of in Scotland, that his life "would be of no long continuance there." His loose habits had early estranged him from the Queen. The Douglasses, and his other kinsmen who had joined him in the murder of Ritzio, he had converted into mortal enemies by his desertion of them afterwards. He was at once meddlesome and incapable, weak and cowardly, yet insolent and unmanageable. He had aimed idly at the life of the Earl of Murray. He had intruded himself into politics, and had written vexatious letters to the Pope and to the King of Spain. As the heir of the House of Lennox, he was the natural enemy of the Hamiltons and all their powerful kindred; and in one way or another he had given cause to almost every nobleman in Scotland, except his father, to feel his presence there undesirable. His coming at all, though submitted to out of deference to the English Catholics, had revived sleeping feuds, and had broken up the unity of the Council; while at the same time it had estranged Elizabeth, and alienated the Protestant Lords, who had before been as loud as the rest in claiming the English succession for their sovereign. The marriage, so far as Scotland was concerned, had been a mistake. Could he have been got rid of by a divorce his life might have been spared; but a divorce would have tainted the Prince's legitimacy, and the Prince's birth had given treble strength to the Queen's party in England — strength sufficient, it might be hoped, to over-

come, after the first shock, the displeasure which might be created among them by his father's removal.

All these points had been talked over at Craigmillar, before the baptism of James at Stirling. A bond was signed there by Argyle, Bothwell, Huntly, Sir James Balfour, and perhaps by Maitland, the avowed object of which was Darnley's death. Morton, by his own confession, was invited to join, and had only suspended his consent till assured under the Queen's hand of her approval. There were other writings also, it will be seen, which were afterwards destroyed, because more names were compromised by them. But it seems equally certain that the relations between the Queen and Bothwell were kept secret between themselves. Darnley was to be made away with, only to open a way to some noble alliance with France or Spain ; certainly not that his place might be taken by a ruffian Border Earl, whose elevation would be the most fatal of obstacles on the Queen's road to the high place which Scotch ambition desired for her.

Nor again were the other noblemen — unless perhaps Argyle be an exception — acquainted beforehand with the means by which the murder was actually effected. Had the work been left to such a man as Maitland, the wretched creature would have been made away with by poison — as was unsuccessfully tried at Stirling — or in some artificially created quarrel, or by some contrivance in which foul play, though it might be guessed at, could not have been proved. In that case it might have been hoped that Elizabeth, who had proclaimed Darnley traitor, had held his mother close prisoner in the Tower, had resented the marriage as an immediate attack upon her crown, would not look too curiously into a casualty so much

to her advantage; and Mary Stuart, free to choose another husband, might make fresh conditions for her place in the succession.

But Bothwell had withdrawn the management into his own hands. Although Maitland was in correspondence with the Queen when Darnley was brought up from Glasgow to Kirk-a-Field, there is no reason to suppose that he was admitted further into Bothwell's plans; and the murder had been brought about with such ingenious awkwardness that it had startled all Europe into attention. Unable to move, for their signatures compromised them, the Lords could but sit still and wait for what was to follow; but it is easy to understand the irritation with which they must have regarded the intruding blockhead who had marred the game, even though they could see no present means by which the fault could be rectified. It is easy to comprehend how intense must have been their disgust, as they began to find that, after all, they had been Bothwell's dupes — that he had been using them as the stepping stones to his own lust and his own ambition.

The populace of Edinburgh had come early to their own conclusions on the relations between the Queen and the Earl. On her return to Seton after Killigrew's departure, although she had promised that he should be placed on his trial for the murder, she took no pains to conceal the favour with which she regarded him. There were moments when her danger struck her, and she had passing thoughts of flying to France: but she had reason to fear no very favourable reception there. The French Court had not even gone through the form of sending to condole with her on her widowhood. The office had been proposed to the Marquis de Rambouillet, but he had declined it, and no one had

been chosen in his place.¹ But Catherine de Medici and Charles had written to tell her that if she did not exert herself to discover and punish the assassin, she would cover herself with infamy, and that she could expect for the future no friendship or support from France.² In that direction there was little to be looked for: so the Queen gathered up her nerves, resolving to trust her own resources, and to defy the world and its opinion.

As a preparation for the trial, she placed in Bothwell's hands the castles of Edinburgh, Blackness, and Inchkeith. Dunbar he held already, and Dumbarton was to be given to him as soon as he could collect a sufficient force to hold it.³ Another placard, accusing him, was hung up on the Tolbooth door. The supposed author, a brother of Murray of Tullibardine, was proclaimed traitor. The ports were watched for him, and any "shipper" who should carry him out of the kingdom was threatened with death.⁴ That Bothwell could be found guilty was certainly never contemplated as a possible contingency, for it was no longer a secret that the Queen meant to marry him as soon as he could be separated from his wife. The preliminaries of the divorce were being hurried forward, and Lady Bothwell, in fear of a worse fate for herself, had been induced to sue for it. A plea was found in Bothwell's own iniquities; and that no feature might be wanting

¹ Don Francis de Alava to Philip II. March 15: Teulet, Vol. I.

² "The Queen Mother and the French King did also write very sorely to the Queen, assuring her that if she performed not her promise in seeking by all her power to have the death of the King their cousin revenged, and to clear herself, she should not only think herself dishonoured, but to receive them for her contraries, and that they would be her enemies." — *Drury to Cecil*, March 29: *Border MSS.*

³ *Ibid.*

⁴ Royal Proclamation, March 12: Anderson.

to complete the foulness of the picture, his paramour, Lady Buccleuch, was said to be ready, if necessary, to come forward with the necessary evidence.¹

- The moral feeling of the age was not sensitive.
- The Tudors, both in England and Scotland, had made the world familiar with scandalous separations; and there were few enormities for which precedents could not be furnished from the domestic annals of the northern kingdom. Yet there was something in the present proceeding so preposterous, that even those most callous in such matters were unable to regard it with indifference. The honour of the country, the one subject on which Scottish consciences were sensitive, was compromised by so monstrous an outrage upon decency. The Queen's political prospects would be ruined, without any one countervailing advantage whatever, if it was allowed to take place. There was no national party to gratify, no end to gain, no family alliance to support or strengthen the Crown. Such a marriage under such circumstances would be simply a disgrace. It would be at once the consummation of an enormous crime, and a public defiant confession of it in the face of all men. The murder itself might have been got over, and the private adultery, even if it had been discovered, might have been concealed or condoned. But to follow up the assassination of her husband by an open marriage with the man whom all the world knew by this time to have been the murderer, was entirely intolerable. In such hands the

¹ "For the divorce between Bothwell and his wife this is arranged, that the same shall come of her — alleging this — that she knoweth he hath had the company of the Lady Buccleugh since she was married to him." — Drury to Cecil, March 29: *Border MSS.* And again: "It is thought that the Lady of Buccleugh, if need be, will affirm he hath so done." — Same to same, April 13: *Ibid.*

baby Prince would be no safer than his father, and one murder would soon be followed by another.

When it became certain that so extraordinary a step was seriously contemplated, Sir James Melville says,¹ that "every good subject who loved the Queen had sore hearts." Lord Herries, the most accomplished of her friends, a man of the world, who saw what would follow, was the first to hasten to her feet to remonstrate. The Queen received him with an affectation of surprise. She assured him that "there was no such thing in her mind," and he could but apologise for his intrusion and retire from the Court at his best speed, before Bothwell had heard what he had done.

Melville himself tried next, and he received opportune assistance from a quarter to which of all others Mary Stuart could least afford to be indifferent. Thomas Bishop, her agent in England, of whom we shall hear again, and who was eventually hanged, being at this moment the expositor of the feelings of the leading English Catholics, wrote a letter to Melville, which he desired him to show to the Queen.

"It was reported in England," Bishop said, "that her Majesty was to marry the Earl Bothwell, the murderer of her husband, who at present had wife of his own, and was a man full of all sin. He could scant believe that she would commit so gross an oversight, so prejudicial every way to her interest and to the noble mark he knew she shot at. If she married that man she would lose the favour of God, her own reputation, and the hearts of all England, Ireland, and Scotland."

Thus armed, Sir James Melville, ever Mary Stuart's best adviser — and, even when she went her own

¹ *Memoirs of Sir James Melville.*

wilful way, the first to conceal her faults — entered his sovereign's presence and placed the letter in her hands. She read it, but she was in no condition to profit by it. She refused to believe that the letter had been written by Bishop. She said it was a device of Maitland's, "tending to the wreck of the Earl of Bothwell," and she sent for Maitland and taxed him with it. He of course assured her that he had nothing to do with it. His opinion she already knew, and he did not care to press it further. He told Melville that he had done more honestly than wisely, and that if Bothwell heard of it he would kill him.

"It was a sore matter," said Melville, "to see that good Princess run to utter wreck, and nobody to forewarn her of her danger." He once more protested to her that the letter was genuine, and that, whoever wrote it, it contained only the deepest truth. "He found she had no mind to enter upon the subject."¹ There was nothing more to be done. He did not then know the extent to which she had committed herself, and he and her other friends could but stand by with folded hands and wait the result.

The Earl of Lennox, encouraged by the promises extorted by Killigrew, after a fortnight's silence accepted the Queen's challenge to name the persons whom he accused. He specified Bothwell, with two of his followers; Sir James Balfour and four foreigners, palace minions, — Bastian, whose marriage had been the excuse for the retreat of the Queen from Kirk-a-Field, John de Bourdeaux, Joseph Ritzio, the favourite's brother, and Francis, one of Mary Stuart's personal servants. She replied that the Lords would in a few days assemble in Edinburgh. The persons

¹ *Memoirs of Sir James Melville*

named in his letter should then be arrested and abide their trial; and Lennox himself, "if his leisure or commodity might suit," was invited to be present.¹

A trial of some sort could not be avoided. The question now was, in what form it would be best encountered. Argyle, Huntly, Maitland, the Archbishop of St. Andrew's, and several others were in Bothwell's power. Unless they consented to stand by him, he held their signatures to the Craigmillar bonds, and could produce them to the world. Yet feeling, as he could not choose but feel, the ticklish ground on which he stood with them — feeling too, perhaps, that there was no permanent safety for him as long as he remained so hateful to the now formidable mass of the middle classes — he made an attempt to gain the Earl of Murray, the one trusted leader of the popular party. The Queen sent for her brother to Seton.

Bothwell — if Lord Herries, who is the authority for the story, is to be believed — admitted his own guilt, but insisted "that what he had done and committed was not for his private interest only, but with the consent of others — of Murray himself with the rest." He therefore threw himself on Murray's honour, and invited him to subscribe a bond to stand by him in his defence.

The Queen added her entreaties to Bothwell's, but she, as well as he, signally failed. Murray professed himself generally anxious to discharge his duties to his Sovereign, but bond of any kind he-refused to sign.²

The refusal may be laid to his credit, if the fair measure of a man's honesty is the standard of his time. As to his consent to the murder, he perempto-

¹ Mary Stuart to the Earl of Lennox, March 23: Keith.

² Keith, Vol. II. p. 609, *note*.

ly denied that it had been ever spoken of in his presence. It is unlikely that he should have been entirely ignorant of a conspiracy to which the whole Court in some degree were parties. His departure from Edinburgh on the morning of the murder suggests that he was aware that some dark deed was intended which he could not prevent. Yet it is to be observed that Bothwell himself, in his conversation with Paris before the deed was done, professed to expect nothing better from him than neutrality; and thus, had there been no inner intrigue, and had the assassination been merely political, he would have had no claim on Murray's help or forbearance. Yet, to decline to be the friend of the man who at the moment held the strength of Scotland in his hands, was no safe step for any man. Murray's life was in danger;¹ and seeing nothing that he could usefully do, and not caring to expose himself needlessly, he determined to carry out the resolution which he had already formed of leaving Scotland. Before he went he held a consulta-

April.

tion with the Earl of Morton, and others who were in Morton's confidence; and, again, if Herries told the truth, something of this kind was determined upon. They saw no means of preventing the marriage without violence. The Queen was so infatuated that it was useless to appeal to her; and they could not conceal from themselves that the Prince's life was in as great danger as the Queen's honour. They agreed that as soon as possible she should herself be hid under restraint, and Bothwell be seized and put to death. Bothwell, however, was too powerful to be

¹ "It was determined of late to slay the Earl of Murray. Some are as willing he should be slain in Scotland as live abroad." — Drury to Cecil, March 29: *Border MSS.*

openly attacked, nor would there be a chance of reaching him through a court of justice. The road to his overthrow lay through a seeming compliance with his wishes — through perjury, treachery, and such arts as men like Morton and Maitland had no objection to meddle with, but not such as suited the Earl of Murray. Lord Herries says that they arranged among themselves that "Morton should manage all." There would be wild work, in which it was not desirable that Murray should take a part. "He would be the fitter afterwards to return and take the Government."¹ Herries was not present at this conference, and could only have heard what passed there at second hand. It is more probable that Morton laid before Murray the line of action which he proposed to follow, that Murray simply declined to have anything to do with it, and that he left Scotland in time to prevent calumny itself from fastening upon him any share in the events which followed. He went first to England, passing through Berwick on the 10th of April, and reaching London six days after. The truest account of his feelings, so far as his regard for the Queen of Scots allowed him to express them, will be found in the following letter from the Spanish Ambassador to Philip: —

DE SILVA TO PHILIP II.²

"London, April 21.

"The Earl of Murray, brother of the Queen of Scotland, arrived here on the 16th of this month. The next morning he had a long interview with the Queen. I do not yet know what passed between them. He paid a visit to me the day before yester-

¹ Keith, Vol. II. p. 609, 610, *note*.

² *M.S. Simancas.*

day. He came to see me, he said, not only on account of the friendship between his Sovereign and your Majesty, but out of private regard for myself. He told me that he had his Queen's permission to go to Italy, and see Milan and Venice. He was going through France, though he would have much preferred Flanders, had not the Low Countries been so much disturbed. He had told his mistress, he said, that he wished to travel and see the places which he had mentioned; but in point of fact the Earl Bothwell was his enemy, and his life was not safe; the Earl Bothwell had four thousand men under his command, with the castles, among others, of Edinburgh and Dunbar, which contained all the guns and powder in the realm; and for himself, he did not mean to return till the Queen had done justice upon the King's murderers and their confederates. He could not honourably remain in the realm while a crime so strange and so horrible was allowed to pass unpunished. If any tolerable pains were taken, he said, the guilty parties could easily be discovered. There were from thirty to forty persons concerned in it, one way or another. He mentioned no names, but it was easy to see that he thought Bothwell was at the bottom of it.

"I asked him whether there was any truth in the report that Earl Bothwell was divorcing his wife. He said it was so; and from his account of the matter one never heard of anything so monstrous. The wife, to whom he has not been married a year, is herself the petitioner, and the ground which she alleges is her husband's adultery. I enquired whether he had ill-treated her, or if there had been any quarrel between them. He said, No. Her brother, Lord Huntly, had persuaded her into presenting the petition to please

Bothwell; and the Queen, at Bothwell's instance, has restored to Huntly his forfeited lands.

"He told me that the general expectation was, that after the divorce the Queen meant to marry Bothwell; but for himself he could not believe a person so nobly gifted as his sister could consent to so foul an alliance, especially after all that had passed. She was a Catholic, too, and a divorce, on such a ground was but a cessation of cohabitation — a divorce a toro, as the lawyers called it, which did not enable either parties to marry again so long as both were living. I asked if it would be permitted by his religion. He said it would not; but the French Ambassador is confident for all this, that if the divorce can be obtained, the Queen means to marry him."

While the world outside was speculating in this way, preparations were going forward at last for Bothwell's trial. The 12th of April was fixed as the day on which he was to take his place at the bar. Notice was served on Lennox, requiring him to be present and to produce his evidence; and the order of Council by which these arrangements were made, was signed, absurdly enough, by Bothwell himself, in connection with Huntly and Argyle. The Crown might have been expected to be a party to the prosecution; but the Crown made itself ostentatiously neutral, and it rather seemed as if, in the eyes of the government, the real criminal was the accuser. By the rule of the Court forty days should have been allowed to Lennox to call his witnesses. The day chosen for the trial left him but fifteen; and while his unhappy Countess in London was besieging the ear of the Spanish Amba-

sador with her denunciations of Mary Stuart,¹ her husband was daily expecting that the proceedings would be brought to an abrupt end by his own murder.

Meantime, at Seton another document was prepared to which the Queen and Bothwell set their hands. It was drawn by Lord Huntly — or at least was in his handwriting. It set forth that the Queen being a widow, and being unwilling to remain without a protector in so troubled a country, she had thought it desirable to take to herself a husband. There were various objections to a foreigner, and therefore for his many virtues she had made choice of James, Earl of Bothwell, whom she proposed to marry as soon as his separation from “his pretended wife” should be completed by form of law.

To this engagement the Earl added a corresponding pledge, that being free, and able to make promise of marriage, in respect of the consent of his said pretended spouse to the divorce, he did promise on his part to take her Majesty to be his lawful wife.² His brother-in-law and the Queen having thus committed themselves, he put the bond away in a casket, together with his remaining treasures of the same kind, in case they might be useful to him in the future — among the rest the fatal letter which the Queen had written to him from Glasgow, and which she had entreated him to burn.

Thus fortified, Bothwell was prepared to encounter

¹ “Aunque es cuerda esta apasionada como madre, y en su opinion la Reyna de Escocia no esta libre de la muerte de su marido. Esta tan lastimado de la muerte del hijo que ella misma confiesa que no tiene intento á otra cosa si no á la vergança.” — De Silva to Philip, March 24: *MS. Spancas*.

² This is one of the famous casket documents, the authenticity of which will be discussed hereafter. It is printed in Anderson's *Collection*.

his trial. Tullibardine's brother, James Murray, the author of the Placards, was to have been Lennox's principal witness. The Queen made his appearance impossible, by ordering that he should be arrested on a charge of treason the first moment that he showed himself. Edinburgh swarmed with Bothwell's satellites; Lennox himself durst not venture thither till he had raised force enough to protect his life; and the short time allowed made it equally impossible for him to assemble his friends or prepare his evidence. He therefore wrote once more to the Queen, to beg that a later day might be named, and that proper means might be taken to enable him to do justice to a cause in which she was herself the person principally concerned. He again requested that the accused parties might be arrested and kept in confinement; above all, that they should not be allowed to remain in her Majesty's company. "It was never heard of," he justly said, "but that in trial of so odious a fact, suspected persons were always apprehended — of what degree soever they might be — even supposing they were not guilty of the fact till the matter was truly tried." "Suspected persons continuing still at liberty, being great in Court and about her Majesty's person, comforted and encouraged them and theirs, and discouraged all others that would give evidence against them; so that if her Majesty suffered the short day of law to go forward after the manner appointed, he assured her Majesty she should have unjust trial."¹

To this application Mary Stuart replied that Lennox had himself objected to delay; she had named an early day in compliance with his own wishes, and she

¹ The Earl of Lennox to the Queen of Scots, April 11: *Cotton MSS Calig. B 9*. Printed in Keith.

could not now make a change. Lennox had expected some such answer, and had made the best use of his time. He had come up to Stirling, from Glasgow, and though still inferior in force to Bothwell, had found men to go with him to Edinburgh, who would make a fight for it before he was murdered.¹ But the Queen had a fresh objection immediately ready. The presence of so many armed men of different factions would be dangerous to the peace of the capital. She required him, therefore, to limit his train to six of his personal servants.² It seemed as if she positively wished to convince the world that Bothwell's cause was her own. Bothwell was to stand his trial for the murder surrounded by an army of his and her retainers. By leaving the prosecution to Lennox, she treated the cause as if it were one in which public justice was in no way concerned; and she forbade him to use the most ordinary means of self-protection in the discharge of the duty which she had cast upon him. Her message could have but one effect. The trial would be opened, Lennox would not appear, and the charge would fall to the ground.

Her clear intellect must have been subdued to the level of Bothwell's before she could have expected to blind the world by these poor devices. Yet she evidently fancied that it would pass for a sufficient discharge of all that was required of her, and that the trial once over, the matter would be heard of no further.

As the day drew near, there was an ominous stillness in Edinburgh — a stillness made more awful by

¹ Sir John Foster in a letter to Cecil of April 15, says he had raised 3000 men: *Border MSS., Rolls House.*

² Foster to Cecil, April 15: *Ibid.*

wild voices heard about the streets at night.¹ Some of the wretches who were concerned in the murder had to be made safe, for fear they might reveal too much. One who wandered about in the darkness, proclaiming himself guilty, was caught and shut up in a prison, "called from the loathsomeness of the place the four thieves' pit."² Another who was thought dangerous was knocked on the head and buried out of the way.³

Lennox, guessing how his own remonstrances would be received, had sent a message through Sir William Drury to Elizabeth, requesting her to back his petition for delay.⁴

Elizabeth, "like an honourable Princess," had instantly written to the Queen of Scots. The messenger rode for his life, and reached Berwick with the letter on the night of the 11th of April. The trial was to be on the next day; and Sir William Drury sent it on by one of his officers, with a charge to him to deliver it without delay into Mary Stuart's hands. The officer, with his guide, was at Holyrood a little after daybreak, and, though unsuccessful in arresting Mary Stuart on her road to ruin, he has preserved, as

¹ "There is a man that nightly goeth about Edinburgh crying penitently and lamentably in certain streets of the town for vengeance on those that caused him to shed innocent blood. 'Oh, Lord, open the heavens, and pour down vengeance on me and those that have destroyed the innocent.' The man walketh in the night accompanied with four or five to guard him, and some have offered to take knowledge of him, but they have been defensed by those which are about him." — Drury to Cecil, April 10: *Border MSS.*

² Same to same, April 19: *MS. Ibid.*

³ "A servant of Sir James Balfour, who was at the murder, was secretly killed, and in like manner buried, supposed upon lively presumption of utterance of some matter either upon remorse of conscience or other folly which might tend to the whole discovery." — *Ibid.*

⁴ Drury to Cecil, April 6: *Border MSS.*

in a photograph, the singular scene of which he was the witness.

His coming had been expected, and precautions had been taken to prevent him from gaining admittance. On alighting at the gate and telling the porter that he was the bearer of a despatch from the Queen of England, he was informed that the Queen of Scots was not yet awake and could not be disturbed. The door was closed in his face, and he wandered about the meadows till between 9 and 10, when he again presented himself. By this time all the Palace was astir; groups of Bothwell's retainers were lounging about the lodge; it was known among them that some one was come from England "to stay the assize," and when the officer attempted to pass in, he was thrust back with violence. At the noise of the struggle, one of the Hepburns came up and told him that the Earl, understanding that he had letters for the Queen, advised him to go away and return in the evening; "the Queen was so molested and disquieted with the business of that day, that he saw no likelihood of any time to serve his turn till after the Assize." He argued with the man, but to no sort of purpose. The gate was thrown back, and the quadrangle and the open space below the windows were fast filling with a crowd, through which there was no passage. Troopers were girthing up their saddles and belting on their sabres; the French guard were trimming their harquebusses, and the stable-boys leading up and down the horses of the knights. The Laird of Skirling, Captain of the Castle under Bothwell, strode by and told the guide that he deserved to be hanged for bringing English villains there; and presently the Earl appeared, walking with Maitland. The

April 12.

officer was chafing under "the reproaches" of the "beggarly" Scots, who were thronging round him and cursing him. They fell back as Bothwell approached, and he presented his letter. The Earl perhaps felt that too absolute a defiance might be unwise. He took it, and went back into the Palace, but presently returned and said, "that the Queen was still sleeping; it would be given to her when the work of the morning was over." A groom at this moment led round his horse—Darnley's horse it had been, and once perhaps, like Roan Barbary, "ate bread from Richard's royal hand!" The Earl sprang upon his back, turned round and glanced at the windows of the Queen's room. A servant of the French Ambassador touched the Englishman, and he too looked in the same direction, and saw the Queen "that was asleep and could not be disturbed," nodding a farewell to her hero as he rode insolently off.¹

So went the murderer of Mary Stuart's husband to his trial, followed by his Sovereign's smiles and attended by the Royal guard; and we are called upon to believe that the Queen, the arch-plotter of Europe, the match in intellect for the shrewdest of European statesmen, was the one person in Scotland who had no suspicion of his guilt, and was the victim of her own guileless innocence. Victim she was, fooled by the thick-limbed scoundrel whom she had chosen for her paramour; duped by her own passions, which had dragged her down to the level of a brute. Pat the men were never born who could have so deceived Mary Stuart, and it was she herself who had sacrificed her own noble nature on the foul altar of sensuality and lust.

¹ Drury to Cecil, April —: *Border MSS.* Printed in the Appendix to the 9th volume of Mr. Tytler's *History of Scotland*.

As the Earl passed through the outer gate, a long loud cheer rose from the armed multitude. Four thousand ruffians lined the Canongate, and two hundred hackbutterers formed his body-guard as he rode between the ranks. The high court of justice — so called in courteous irony — was held at the Tolbooth, where he alighted and went in. His own retainers took possession of the doors, "that none might enter but such as were more for the behoof of one side than the other."¹ There were still some difficulties to be overcome, and the anxiety to prevent a prosecutor from appearing was not without reason. The court could not be altogether packed, and there might be danger both from judges and from jury.² The Earl of Argyre presided as hereditary Lord Justice, and so far there would be no difficulty; but there were four assessors, one or more of whom might prove unmanageable if the case went forward — Lord Lindsay, Henry Balnavis, the Commendator of Dumfermline, and James McGill, the Clerk of the Register. On the jury were the Lord of Arbroath, Chatelherault's second son and presumptive heir of the House of Hamilton, and the Earl of Cassilis (the original of Walter Scott's "Front de Bœuf"). These would be true to Bothwell through good and evil. But the Earl of Caithness, the Chancellor of the Assize, was doubtful; Lord Maxwell had been Darnley's special friend; and Herries was truer to his mistress than to the dark man whom he feared as her evil genius.³

¹ Drury to Cecil, April —: *Border MSS.* Printed in the Appendix to the 9th volume of Mr. Tytler's *History of Scotland*.

² *Ibid.*

³ The jury consisted of the Earls of Caithness, Rothes, and Cassilis; the Lord of Arbroath, Lords Ross, Sempell, Maxwell, Herries, Oliphant; and Boyd, the Master of Forbes, Gordon of Lochinvar, Cockburn of Lanton,

At eleven o'clock the Earl took his place at the bar. No trustworthy account has been preserved of the appearance of the man. In age he was not much past thirty. If the bones really formed part of him which have been recently discovered in his supposed tomb in Denmark, he was of middle height, broad, thick, and, we may fancy, bull-necked. His gestures were usually defiant, and a man who had lived so wild a life could not have been wanting in personal courage; but it was the courage of an animal which rises with the heat of the blood, not the collected coolness of a man who was really brave.

He stood at the bar "looking-down and sadlike." In the presence of the machinery of justice his insolence failed him; the brute nature was cowed, and the vulgar expression "hangdog" best described his bearing. One of his attendants, Black Ormiston, who had been with him at Kirk-a-Field, "plucked him by the sleeve." "Fye, my Lord," he whispered, "what Devil is this ye are doing. Your face shaws what ye are. Hauld up your face, for God's sake, and look blythly. Ye might luik swa an ye were gangand to the dead. Alac and wae worth them that ever devy-sit it. I trow it shall gar us all murne."

"Haud your tongue," the Earl answered; "I would not yet it were to do. I have an outgait fra it, come as it may, and that ye will know belyve."¹

The Clerk of the Court now began to speak. "Whereas Matthew, Earl of Lennox," he said, "had delated the Earl Bothwell of the murder of the late

Somerville of Cambusnetham, a Mowbray, and an Ogilvy. Morton had been summoned, but had refused. He would have been glad to please the Queen, he said, but "for that the Lord Darnley was his kinsman he would rather pay the forfeit." — Drury to Cecil, April —: *Border MSS.*

¹ Confession of the Laird of Ormiston: Pitcairn, Vol. I. p. 512.

King, her Majesty, by advices of Council and at the instance of the Earl Bothwell himself, had ordained a court of Justiciaries to be held in the Tolbooth of Edinburgh for doing justice upon the said Earl, and the Earl of Lennox was required to appear and prove his charge."

The indictment followed. It had been drawn with a grotesque contrivance to save the consciences of such among the jury as were afraid of verbal perjury, for it charged the Earl with having committed the murder on February 9th; and whatever was the way in which Darnley was killed, the deed was certainly not done till an hour or two after midnight. Of this plea it will be seen that the Lords on the panel were not ashamed to avail themselves when afterwards called to account for their conduct.

Bothwell of course pleaded not guilty. Lennox was called, and did not answer, and the case would have collapsed, as every one present probably desired, when a person appeared whose part had not been arranged in the programme. Lennox was absent, but one of his servants, Robert Cunningham, ventured into the arena instead of him, and, rising among the crowd, said:

"My Lords, I am come here, sent by my master the Earl of Lennox, to declare the cause of his absence this day. The cause of his absence is the shortness of the time, and that he is denuded of his friends and servants who should have accompanied him to his honour and surety of his life; and he having assistance of no friends but himself, has commanded me to desire a sufficient day, according to the weight of the cause wherethrough he may keep the same. And if your Lordships will proceed at this present, I protest

that if the persons who pass upon assize and inquest of twelve persons that shall enter on panel this day do clear the accused person of the murder of the King, that it shall be wilful error and not ignorant, by reason that person is notorely known to be the murderer of the King; and upon this protestation I require ane document."

The protest was in proper form. The precipitation of the trial had been contrary to precedent; and Cunningham's demand, in the regular course of things, should have been supported by the Queen's advocates, who were present in the Court. They sate silent, however.¹ Bothwell's counsel produced Lennox's original letter, in which he had urged the Queen to lose no time in pressing the enquiry. The Queen had but done what the prosecutor desired, and he had now therefore no right to ask for more delay. There was no prosecution, no case, no witnesses. The indictment was unsupported. They required the Court, therefore, to accept the Earl's plea, and pronounce him acquitted.

Cunningham said no more, and the jury withdrew. Composed as they were of some of the best blood in Scotland, they did not like the business. There was "long reasoning," and the evening was closing in before they reappeared. Caithness, before the verdict was given in, read a declaration in all their names that, whereas no person had come forward to support the charge, "they could but deliver according to their knowledge," and therefore could not be accused of "wilful error." For himself, as if disdaining to avail

¹ "The Queen's advocates that should have inveighed against Bothwell are much condemned for their silence. The like at an assize hath not been used." — Drury to Cecil, April —: *Border MSS.*

himself of the subterfuge prepared for him, he put in his personal protest "that the Dittay was not true in respect that the murder was committed on February 10th, and not on the 9th," and "so the acquittal that way but cavillously defended."

With these qualifications, as it were washing their hands of the transaction to which they were made parties, Caithness and half the jury returned a verdict of Not Guilty. "The rest neither quitted him nor cleared him, but were silent."¹

So at seven o'clock in the evening the business was happily terminated. The Queen had kept her promise to England and France; and the Earl, gathering up his courage again, "fixed a cartel against the Tol-booth door," as he left it—"wherein he offered to fight in single combat with any gentleman undefamed that durst charge him with the murder."

The Court would have acted more wisely had they left the insolent farce unplayed. The indignation of the Edinburgh burghers appeared in "the libels" which covered the walls. "The Lords" were charged "with wilful manœuvring to cover knavery." "Farewell, gentle Harry," was written at one place, "but vengeance on Mary." At another, a rude caricature represented Bothwell as a frightened hare surrounded by a ring of swords; Mary Stuart as a mermaid crowned, flashing fury out of her eyes, and lashing off the hounds that were pursuing her lover with a huntsman's double thong.

Murray of Tullibardine in his brother's place replied to the challenge by offering to prove Bothwell's

¹ Drury to Cecil, April 15: *Border MSS.* For Bothwell's trial see the printed account in Keith and Anderson, and the *Scotch and Border MSS.* for April, 1567, in the *Rolls House.*

guilt upon his body, with the sovereigns of France and England for judges of the combat.¹

Sir William Drury himself, boiling over with scorn and anger, waited only for Elizabeth's permission to anticipate Murray and fight Bothwell himself;² and when the Queen of Scots ventured from Holyrood through the city, the women in the Grass-market rose at their stalls as she passed, and screamed after her, "God save your Grace, if ye be sackless of the King's death — of the King's death."³

One more unsigned but ominous "bill" was set up upon the Market Cross. "I am assured there is none that professes Christ and his Evangel that can with any upright conscience part the Earl Bothwell and his wife, albeit she justly prove him an abominable adulterer; and that by reason he has murdered the husband of her he intends to marry, whose obligation and promise of marriage he had long before the murder was done."⁴

Every hour it was evident that the relations between the Queen and Bothwell were becoming known. Too many persons had been admitted to the secret.

¹ Underneath Murray's cartel were these lines:—

It is not enough the puir King is dead,
But michaud murtheraris occupied his stead,
And doubell addulerie has all this land schamit,
But all ye sillie Lordis man be defamit,
And wilfully ye man gar yourselves manswarin.
God put some end unto this sorrowful time,
And have ye saikless, nor troublit of this crime.

Scotch MSS. April 13, *Rolls House.*

² "If I thought it might stand with the Queen my sovereign's favour, I would answer it, and commit the sequel to God. I have sufficient to charge him with, and would prove it upon his body as willingly as obtain any suit I have." — Drury to Cecil, April —, 1567: *Border MSS.*

³ *Ibid.*

⁴ *Scotch MSS.*, April, 1567.

The truth was oozing out piece by piece from a hundred whispering tongues, and all the air was full of it.

But the goal was near in view, and they had gone too far to halt or hesitate. Two days after the trial, a Parliament, or such packed assembly as the Queen called by the name, met at Edinburgh. Lennox escaped to England. The Earls of Mar and Glencairn applied for license "to depart the realm for a season." The Archbishop of St. Andrew's and four other Prelates, six Earls, of whom Bothwell and Argyle were two, six other noblemen, and a few commoners, represented the Legislature of Scotland. To bribe the Protestants, an Act of Religion was passed, and the Queen for the first time formally recognised the Reformation. The price of the divorce was paid to Huntly, and the Gordon estates were restored, while in return "the purgation of Bothwell was confirmed, and the assize allowed for good."¹ To silence mutinous tongues, it was enacted that, "whereas various writings had been set up to the slander, infamy, and reproach of the Queen's Highness and divers of the nobility, the Queen and Estates ordained that in time coming, when any such placard or defamation was found, the person first seeing the same should take it or destroy it, that no further knowledge nor copy should pass of the same; if such person failed therein, and either the writing was copied or proceeded to further knowledge among the people, the first seer and finder should be punished in the same manner as the first inventor and upsetter, if he was apprehended; the defamers of the Queen should be punished with death, and all others with imprisonment at the Queen's pleasure."²

¹ Drury to Cecil, April 19: *Border MSS.*

² Proceedings of Parliament, April, 1567. Printed in Keith.

Five days were sufficient for these measures. The Parliament was dissolved on the 19th, and the same evening, to celebrate the occasion, the Earl of Bothwell invited the Peers and Bishops to sup with him at a place called Ainslie's Tavern. The Primate and five other Prelates, among whom was Leslie, the afterwards celebrated Bishop of Ross, the Earls of Argyle, Huntly, Sutherland, Cassilis, Eglinton, and some others, were present. The wine went round freely, and at length Bothwell rose and produced a bond, which he offered to their signature, as he pretended, by the Queen's desire. The first clauses related personally to himself.

"The undersigned" were required to say that, inasmuch as the accusation against the Earl of Bothwell had been disposed of in open court, and as all noblemen in honour and credit with their Sovereign were subject to suspicion and calumnies, they were determined to resist such slanders, and if the Earl was again accused, they would stand by him and take part with him.

So far there was little difficulty; most of the guests were more or less interested in suppressing future enquiry into the business of Kirk-a-Field. The remaining paragraphs were of graver import. The "bond" continued thus:—

"Considering further the time present, and how the Queen's Majesty, their Sovereign, was now destitute of a husband, in which solitary state the commonwealth of their country would not permit her to continue, should her Majesty be moved by respect of his faithful services to take the Earl Bothwell to her husband, they and every one of them, upon their honour, truth, and fidelity, promised to advance and set forward the marriage with their counsel, satisfaction, and assistance,

as soon as the law would allow it to be done ; and to esteem any one as their common enemy and evil willer who endeavoured to hinder it."

To this precious document from twelve to twenty noblemen,¹ besides the Bishops, were induced to set their hands ; some, like the Primate, in deliberate treachery, to tempt the Queen into ruin ; some, it was afterwards pretended, in fear of Bothwell's "hack-butters," who surrounded the house ; some, perhaps the most, from moral weakness and want of presence of mind. Eglinton "slipped away," and saved his honour thus. Morton and Maitland either did the same, or they had sufficient fortitude to withhold their signatures. They said generally that they would not oppose the marriage ; but they declined to commit themselves to the bond.²

Such was the celebrated Ainslie's supper, of all bad transactions, in that bad time, in common esteem the most disgraceful, yet a fit sequel to what had preceded it, and on the whole less mischievous than the trial at the Tolbooth. At the supper the noble Lords and other high persons did but compromise their own characters, in which there was little left to injure. In the

¹ The original bond was destroyed. It survives only in copies, the signatures were supplied by recollection, and the different lists do not agree. The Scotch list, usually printed as authentic, contains Murray's name, though Murray was in England ; Glencairn's, though there is no evidence that he was in Edinburgh at the time ; and Morton's, who can be proved distinctly not to have signed. A list found among the French State Papers, bespeaks credibility by the omission of Murray and Glencairn, though again it is obviously inaccurate, since this also contains the name of Morton. See the lists in Keith, Vol. II. p. 566, Lawson's edition ; and "A Copy of the Bond signed by the Lords, April 19, 1567": *MSS. Scotland, Rolls House*.

² "The Lords have subscribed a bond to be Bothwell's friends in all actions, saving Morton and Lidington, who, though they yielded to the marriage, yet in the end refused to be his in so general terms." — Drury to Cecil, April 27: *Border MSS.*

High Court of Justice the fountains of society were poisoned.

By neither one nor the other did Bothwell gain much. All hated him, even those who seemed his friends; and he himself had little confidence in the promises, which he had taken such pains to obtain. Meanwhile the people — those to whom Knox had contrived to bring some knowledge of right and wrong, those who could feel the natural indignation of honest men against atrocious wickedness — began at this last outrage to rouse themselves to action. Glencairn and Mar, though they had thought of leaving the country, were still at their posts, and Mar for the present was keeping watch over the infant Prince at Stirling. If only Elizabeth would support them, they might yet make an effort to save their Queen from completing her dishonour. They could none of them trust Elizabeth. She had forfeited their confidence once for all in her shuffling desertion of Murray. Whatever she might privately feel or desire, they could not feel certain that, even in their present circumstances, she would maintain them openly in resistance to their sovereign. Yet it was impossible to sit still; and Sir William Kirkaldy, of Grange, was selected in Murray's absence to feel the temper of the English Government. The day after Ainslie's supper, Grange wrote thus to Cecil: —

“It may please your Lordship to let me understand what will be your Sovereign's part concerning the late murder committed among us; for albeit her Majesty was slow in all our last trouble, and therefore lost that favour we did bear unto her, yet nevertheless if her Majesty will pursue for the revenge of the late murder, I dare assure your Lordship she shall win thereby all the

hearts of all the best in Scotland again. Further, if we understood that her Majesty would assist us and favour us, we should not be long in revenging of this murder. The Queen caused ratify in Parliament the cleansing of Bothwell. She intends to take the Prince out of the Earl of Mar's hands, and put him into Bothwell's keeping, who murdered the King his father. The same night the Parliament was dissolved, Bothwell called the most part of the noblemen to supper, for to desire of them their promise in writing and consent for the Queen's marriage, which he will obtain; for she has said that she cares not to lose France, England, and her own country for him, and shall go with him to the world's end in a white petticoat ere she leave him. Yea, she is so far past all shame, that she has caused make an Act of Parliament against all those that shall set up any writing that shall speak anything of him. Whatever is dishonest reigns presently in this Court. God deliver them from their evil." ¹

Elizabeth was incredulous as ever, as to any actual complicity of the Queen of Scots in the murder itself. Yet the treatment of her officer, the trial, and the general news which came in day after day from Scotland had already compelled her to see how deeply Mary Stuart was compromising herself. She spoke to the Spanish Ambassador, with genuine distress, of the contemptuous evasion of her desire that the trial might be postponed. The Spanish Ambassador, in his account to Philip, seemed equally scandalized. "The Earl," he said, "had been acquitted by the Queen of Scots' own order. Lennox was not allowed to be present; the Court was surrounded by armed men in the Earl's pay; and though a majority of the judges,

¹ Grange to Cecil, April 20: *MSS. Scotland, Rolls House.*

under the Queen's influence, had acquitted Bothwell, because no prosecutor appeared, many of them had refused to vote." ¹

On the arrival of Grange's letter, Elizabeth determined to make one more effort, and force the Queen of Scots to see the construction which Europe was placing upon her conduct. A paper of notes, in Cecil's hand, dated the 25th of April, contains the substance of his thoughts about it. "The enquiry into the murder could not and should not be stifled. The Queen of Scots should be made to understand what manner of bruits and rumours were spread through all countries about her, gathered as they were by indifferent men upon beholding the proceedings in Scotland since the King's death. If it was true that she thought of marrying Bothwell, so monstrous an outrage must be prevented." Lord Grey, as a person unconnected with Scotch practices, was chosen to go down to Holyrood and reason with her. He was instructed to tell the Queen of Scots that Elizabeth was simply shocked at the reports which were brought to her. "No discovery had been made of the malefactors." "Such as were most touched with the crime were most favoured, retained in credit, and benefited with gifts and rewards. The father, and others of the King's friends, that should orderly seek the revenge, were forced by fear to retire from the Court, and some of them deprived of their offices." "Her Majesty was

¹ "No pareció acusador ni testigo contra el Conde, y assi fué dado por libre por la mayor parte de los jueces; porque la Reyna mandó que declarasen: y los demas no quisieron votar en ello, pareciendoles que no había libertad en el juicio, porque el Conde Bothwell tenía consigo mucha gente, y el de Lennox no podía venir sino con seis á caballo como se le había ordenado, por manera que no vino quien acusase ni hablase en ello, segun me certifican." — De Silva to Philip, April 21: *MS. Simancas*.

greatly perplexed what to do in a case of such moment," whether to believe nothing of what she heard, "or, giving credit but in some part, to enter into doubtfulness of the Queen's integrity, which of all other things she most disliked to conceive." "The Queen of Scots was her sister and kinswoman. The young gentleman that was foully murdered was born a subject of her realm, and in like degree her kinsman." The world pointed with one consent at Bothwell as the assassin. "His malice to the King was notoriously leadly. The King in his life feared his death by Bothwell, and sought to have escaped out of the realm." Yet the castles of Edinburgh and Leith had been since given in charge to this man, "and generally all credit and reputation conveyed only to him and his that were most commonly charged with the King's death." "Contempt, or at least neglect, had been used in the burial of the King's body. His father, his kin, and his friends were forced to preserve themselves by absence;" and while Lennox was forbidden to appear at the trial with more than six of his servants, "the person accused was attended with great companies of soldiers."¹

As in her first letter, when first she heard of the murder, as in the despatch of Killigrew, as in her ineffectual effort to prevent Mary Stuart from committing herself to the mockery of justice; so again in this intended message, Elizabeth was fulfilling those duties of kind and wise friendship, which Mary Stuart's advocates complained afterwards that she had been deprived of; but before Grey could start on his mission,

¹ Instructions to Lord Grey sent in post to the Queen of Scots, April — 1567. In Cecil's hand: MSS. Scotland, Rolls House.

RECEIVED
BY THE
ALLIANCE

fresh news arrived which made this and every other effort in the Queen of Scots' interests unavailing.

Notwithstanding Ainslie's supper, neither the Earl nor the Queen could feel assured that their marriage arrangements would progress satisfactorily. They could not conceal from themselves that it was regarded by every one with intense repugnance. Bothwell, as events afterwards proved, possessed not a single friend among the Lords, and not to be his friend at such a time was to be his deadly enemy. Morton and Maitland affected to be not ill-disposed towards him; but their negative attitude was more than suspicious, and the delay even of the few weeks which would elapse before the Divorce Court could release Bothwell from his wife might give an opportunity for commotion at home, or for some interference from Elizabeth, which might equally be fatal to their wishes. Nor was the Earl's position with the band of desperadoes that he had collected about him any more reassuring. He had no money to pay them with. Two days after the separation of the Parliament they mutinied in the hall at Holyrood. Bothwell attempted to seize one of the ringleaders, but his comrades instantly interfered, and the Earl, after a savage altercation, could only quiet them by promises, which he could not hope to redeem, except by some speedy measure which would give him the immediate control of the kingdom.

On the 22d of April, the day which followed this commotion, Mary Stuart went to Stirling, professedly to visit her child. The general suspicion was that she intended, if possible, to get the Prince into her own hands, and either carry him back with her to Edinburgh, or place both the child and Stirling Castle in Bothwell's keeping. If this was her design, it was

defeated by the prudence of the Earl of Mar, who, in admitting the Queen within the gates, allowed but two ladies to accompany her. But there was a second purpose in the expedition, which the following letters will explain.¹

THE QUEEN OF SCOTS TO THE EARL BOTHWELL.

“Of the time and place I remit me to your brother² and to you. I will follow him, and will fail in nothing in my part. He finds many difficulties. I think he does advertise you thereof, and what he desires for the handling of himself. As for the handling of myself, I heard it once well devised. Methinks that your services and the long amity, having the good will of the Lords, do well deserve a pardon, if above the duty of a subject you advance yourself, not to constrain me, but to assure yourself of such place near unto me, that other admonitions or foreign persuasions may not let me from consenting to that that you hope your service shall make you one day to attain; and to be short, to make yourself sure of the Lords and free to marry; and that you are constrained for your surety, and to be

¹ These letters were found in the celebrated casket with the others to which reference was made in the preceding volume. I accept them as genuine because, as will be seen, they were submitted to the scrutiny of almost the entire English peerage, and especially to those among the peers who were most interested in discovering them to be forged, and by them admitted to be indisputably in the handwriting of the Queen of Scots; because the letters in the text especially refer to conversations with Lord Huntly, who was then and always one of Mary Stuart's truest adherents—conversations which he could have denied had they been false, and which he never did deny; because their contents were confirmed in every particular unfavourable to the Queen by a Catholic informant of the Spanish Ambassador, who hurried from the spot to London immediately after the final catastrophe for which they prepared the way; and lastly, because there is no ground whatever to doubt the genuineness of the entire set of the casket letters, except such as arises from the hardy and long-continued but entirely baseless denial of interested or sentimental partisans.

² Bothwell's brother-in-law, the Earl of Huntly.

able to serve me faithfully, to use an humble request joined to an importune action ; and to be short, excuse yourself and persuade them the most you can that you are constrained to make pursuit against your enemies. You shall say enough if the matter or ground do like you, and many fair words to Lidington.¹ If you like not the deed, send me word, and leave not the blame of all unto me."

Amidst obscurity in some of the allusions, the drift of this letter is generally plain, when interpreted by what actually occurred. Lest interference in Scotland, or the admonition or persuasion of England or France, should dash the cup from their lips, the lovers had laid a plan, to which the Earl of Huntly was a consenting party, that Bothwell should carry off the Queen by seeming force. She was to return to Edinburgh on the 24th ; she could be intercepted on the way, and the violence which had been offered to her would then make the marriage a necessity ; while Bothwell could plead his own danger, and the general difficulties of his position as an excuse for his precipitancy.

It was a wild scheme — not so wild perhaps in Scotland as it would have seemed in any other country, but still full of difficulty. Lord Huntly, on mature consideration, was against attempting it ; the Queen could not travel without a strong escort, and the escort, though it might be under Huntly's own command, would resist unless taken into the secret.

A few hours after the last letter the Queen wrote again : —

"My Lord, since my letter written, your brother-in-law that was came to me very sad, and has asked my counsel what he should do after to-morrow, because

¹ Maitland.

there are many here, and among them the Earl of Sutherland, who would rather die than suffer me to be carried away, they conducting me—and that he feared there should some trouble happen of it—that it should be said of the other side he was unthankful to have betrayed me.

“I told him he should have resolved with you upon all that, and that he should avoid if he could those that were most mistrusted.¹ He has resolved to write thereof to you by my opinion; for he has abashed me to see him so unresolved at the need. I assure myself he will play the part of an honest man; but I have thought good to advertise you of the fear he has that he should be charged and accused of treason, to the end that without mistrusting him you may be the more circumspect, and that you may have the more power. We had yesterday² more than 300 horse of his and Livingstone’s. For the honour of God be accompanied rather of more than less, for that is the principal of my care.”

Again, and still more deeply, it seems that Huntly’s mind misgave him. In a third note, the Queen said, that he had returned a second time and “preached unto her that it was a foolish enterprise, and that with her honour she could never marry Bothwell, seeing that he was married already; his own people would not allow her to be carried off, and the Lords would unsay their promises.”

“I told him,” she said, “that seeing I was come so far, if you did not withdraw yourself of your-
self, no persuasion nor death itself should

April 23.

¹ i. e. in selecting the men who were to form her guard, he should choose those on whom he could rely, *not* to resist.

² On the way to Stirling, April 22.

make me fail of my promise. I would I were dead for I see all goes ill. Dispatch the answer that I fail not, and put no trust in your brother for this enterprise, for he has told it." ¹

This last note must have been written from Stirling at midnight, between the 23d and 24th of April. Bothwell was lying in wait at Linlithgow, and not daring to trust Huntly further, the Queen sent it to him by the trusted hands of Paris the page.² The Earl, when Paris found him, was lying asleep, "his captains all about him." He rose, wrote a hasty answer, and as he gave it into the page's hands said, "Recommend me humbly to her Majesty, and say I will meet her on the road to-day at the bridge."³

The scheme had got wind. The Queen's own

¹ This is confirmed by Sir William Drury, who writes to Cecil:—"Bothwell was secretly at Linlithgow the night before he took the Queen. In the morning he broke with Huntly of his determination for the having the Queen, which in no respect he would yield unto."—*Border MSS. Rolls House.*

² "Je vous envoie ce portier car je n'ose me fier à vostre frère de ces lettres ni de la diligence." The original French of this letter, and of one other, has at last been recovered. The solitary critical objection to the genuineness of the letters has been rested on the obvious fact that although Mary Stuart corresponded with Bothwell in French, the French version which was published by Buchanan contained Scotch idioms and must have been translated from Scotch. It was naturally conjectured in reply that the originals were out of Buchanan's reach, and that his French and Latin versions of the letters were retranslations from the Scotch translation, which was made when they were first discovered. It is now certain that this was the truth. On the examination of the original letters at Westminster, two were produced before the others, and of these two, copies were taken at the time, one of which, that which I have quoted in the text, is at Hatfield among Cecil's notes of the examination. The other, that commencing "Monsieur, s'y l'ennuy de vostre absence," is in the *Record Office, MSS. Mary Queen of Scots*, Vol. II. No. 66. This part of the question may thus be said to be set at rest. The Hatfield letter is endorsed "From Stirling upon the ravishment."

³ "Recommendes me humblement à la Majestie, et luy dictes que j'yray aujourd'hui la trouver sur la chemyn au pont."—*Confession of Nicholas Hubert, called Paris*: Pitcairn, Vol. I. p. 510.

movements, the considerable preparations which had been made by Bothwell at Dunbar, and the large number of armed men which he had collected at Linlithgow, had quickened the already roused suspicions of the people.¹ Huntly had betrayed the secret, dreading the indignation of the noblemen who were still hoping to save the Queen; and so well it was known, that Lennox, writing from some hiding-place where he was waiting for a ship to take him to England, was able to inform his wife particularly of what was about to happen.² The Queen, however, was too infatuated to care for the consequences: on the morning of the 24th she took leave of the Prince; not finding herself able to carry him with her as she had meant to do, she commended him rather needlessly to the care of the Earl, whose chief business was to protect him from his mother;³ she then

April 14.

¹ On the morning of the 24th Sir William Drury wrote from Berwick: "This day the Queen returns to Edinburgh or Dunbar. The Earl Bothwell hath gathered many of his friends, some say to ride in Liddisdale, but there is feared some other purpose which he intendeth much different from that, of the which I believe shortly I shall be able to advertise more certainly."—Drury to Cecil, April 24: *Border MSS.*

² "The Queen returns this day from Stirling. The Earl of Bothwell hath gathered many of his friends. He is minded to meet her this day, and take her by the way and bring her to Dunbar. Judge ye if it be with her will or no."—The Earl of Lennox to Lady Lennox, April 24: *MSS. Scotland, Rolls House.*

³ Sentiment, both in words and in painting, has made much of this parting charge of Mary Stuart to the Earl of Mar. The story current at the time in Scotland, though as improbable as the fine sentiments attributed on the occasion to the Queen, is more characteristic of contemporary feeling. Sir William Drury writes:—

"At the Queen's last being at Stirling the Prince being brought unto her, she offered to kiss him, but the Prince would not, but put her face away with his hand, and did to his strength scratch her. She took an apple out of her pocket and offered it, but it would not be received by him, but the nurse took it, and to a greyhound bitch having whelps the apple was thrown. She ate it, and she and her whelps died presently; a sugar-baf also for the Prince was brought thither at the same time and last there

mounted her horse, and, attended by Huntly, Maitland, James Melville, and her ordinary guard, she prepared for the concluding passage of Bothwell's melodrama. The first act of it had been the King's murder; the second the trial at the Tolbooth; the scene of the third was Almond Bridge, two miles from Edinburgh on the road to Linlithgow. There, as he had promised, the adventurous Earl lay waiting for the Queen of Scotland; as the royal train appeared he dashed forward with a dozen of his followers and seized her bridle-rein; her guard flew to her side to defend her, when, with singular composure, she said she would have no bloodshed; her people were outnumbered, and rather than any of them should lose their lives, she would go wherever the Earl of Bothwell wished. Uncertain what to do, they dropped their swords. Huntly submitted to be disarmed, and, with Maitland and Melville, was made prisoner. Their followers dispersed, and Bothwell, with his captives and the Queen, rode for Dunbar. The thinnest veil of affectation was scarcely maintained during the remainder of the journey. Blackadder, one of Bothwell's people who had charge of Melville, told him as they went along, that it was all done with the Queen's consent.¹ Drury, writing three days later from Berwick, was able to say that the violence which had been used was only apparent.² The road skirted the south wall of Edinburgh. Some one was sent in as if to ask for assistance for the Queen, and Sir James Balfour replied by firing the Castle guns at Bothwell's troop;

for the Prince, but the Earl of Mar keeps the same. It is judged to be very evil compounded." — Drury to Cecil, May 20: *Border MSS.*

¹ *Memoirs of Sir James Melville.*

² "The manner of the Earl Bothwell's meeting with the Queen, though it appears to be forcible, yet it is known to be otherwise." — Drury to Cecil April 27: *Border MSS.*

but "the pieces had been charged very well with hay,"¹ and gave out sound merely. Even the Spanish Ambassador, in transmitting to Philip the opinion of a trustworthy Catholic informant, could but say that "all had been arranged beforehand, that the Queen, when the marriage was completed, might pretend that she had been forced into consent."²

It was twelve o'clock before the party reached Dunbar. There, safe at last in his own den, the Earl turned like a wolf on the man who had attempted to stand between him and his ambition. "Maitland," it is said, "would have been slain that night," but for the protection which his mistress threw over him. Huntly and Bothwell both set on him, and Mary Stuart—be it remembered to her honour—thrust her body between the sword-points and the breast of one whose fault was that he had been her too faithful servant. "She told Huntly that if a hair of Lidington's head did perish, she would cause him forfeit lands and goods and lose his life."³ Melville and Huntly were released the following morning, but Maitland was detained close prisoner, and was still in danger of murder. He contrived to communicate with the English at Berwick, to whom he intended if possible to escape. The Queen remained to suffer (according to her subsequent explanation of what befell her) the violence which rendered her marriage with Bothwell a necessity, if the offspring which she expected from it was to be born legitimate.

But this concluding outrage determined the action

¹ Drury to Cecil, May: *Border MSS.*

² De Silva to Philip, May 3: *MS. Simancas.*

³ Maitland himself described the scene to Drury. It is likely that Huntly had consulted Maitland at Stirling, that Maitland revealed the scheme to the Lords, and that Huntly desired to save himself from Bothwell's fury at Maitland's expense. — Drury to Cecil, May 6: *Border MSS.*

of the nobility. The last virtue which failed a Scot was jealousy of his country's honour — and they felt that they were becoming the byword of Europe. They wrote to Mary on the 27th of April offering her their swords, if it was true that she had been carried off unwillingly,¹ and requesting to be certified of her pleasure; but whatever that pleasure might be, they determined to acquiesce no longer in her remaining the companion of Bothwell. Elizabeth had given them no sign of encouragement, but Du Croc the French Ambassador said, that whenever they pleased to ask for it, they might have assistance from France. The Scotch alliance was of infinite moment to the Court of Paris; the Queen of Scots had forfeited for a time the affection even of her own relations; she had flung away the interests of the Catholic League upon a vulgar passion; and if the Scots would return to their old alliance, the French Court were ready to leave them free to do as they pleased with her. There was a profound belief that the Queen of Scots was a lost woman; that she would be a disgrace to any cause with which she was connected; and if the friendship of Scotland could be recovered to France by sacrificing her, it would be cheaply purchased.

Thus assured of support from one side or the other, the Earls of Mar, Morton, Athol, Argyle and others, assembled at Stirling a few days after Mary Stuart was carried off. They were determined at all hazards to take her out of Bothwell's hands; and if after the letter which they had addressed to her she persisted in remaining with him, they made up their minds to depose her and crown the infant Prince.² Kirkaldy, a

¹ The Lords to the Queen of Scotland, April 27, from Aberdeen: *MS.* in possession of Mr. Richard Almack.

² Drury to Cecil, May 5: *Border MSS.*

friend of England, induced them with some difficulty to consult Elizabeth once more.

"The cold usage of my Lord of Murray," Sir Robert Melville wrote to Sir Nicholas Throgmorton, "lost your sovereign many hearts in this realm; they may be recovered, if she will be earnest in this most honest cause, and nourish a greater love than ever was between the countries, that both Protestant and Papist may go one way."¹ May.

"The Queen," wrote Kirkaldy to Lord Bedford,² "will never cease till she has wrecked all the honest men of this realm. She was minded to cause Bothwell ravish her, to the end that she may the sooner end the marriage which she promised before she caused murder her husband. There is many that would revenge the murder, but that they fear your mistress. The Queen minds hereafter to take the Prince out of the Earl of Mar's hands, and put him in his hands that murdered his father. I pray your Lordship let me know what your mistress will do, for if we seek France we may find favour at their hands, but I would rather persuade to lean to England."

Elizabeth still continued silent, and the French overtures continuing, the Lords were unwilling to wait longer upon her pleasure. It was known that Bothwell intended to destroy the Prince, for fear the Prince when he grew to manhood should revenge his father's death. There was no time to be lost, and they insisted on knowing explicitly what they were to look for from England. Du Croc, they said, had promised in the name of the King of France, that if they would relinquish the English alliance, they

¹ May 5, 1567: *MSS. Scotland, Rolls House*.

² Grange to Bedford, April 26: *MS. Ibid.*

should have assistance to "suppress" Bothwell. Du Croc had warned the Queen herself that if she married Bothwell, "she must expect neither friendship nor favour" from the French Court. Finding that "she would give no ear" to his remonstrances, he had offered to join the Lords at Stirling openly in his master's name; he had been lavish of promises if at the same time they would abandon the English; and the Lords gave Elizabeth to understand that she must send them some answer, and hold out to them some encouragement, or the hand so warmly offered by France would be accepted.¹

Elizabeth, since her misadventure at the time of the Darnley marriage, had resolved to have no more to do with Scotch insurgents. Interference between subject and Sovereign had never been to her own taste. She had yielded with but half a heart to the urgency of Cecil, and she had gone far enough to commit herself, without having intended even then to go farther. The result had been failure, almost dishonour, and the alienation of a powerful party who till that time had been her devoted adherents. She was again confronted with a similar difficulty, and at a time which was extremely critical. The eight years, at the end of which, by the terms of the peace of Cambray, Calais was to be restored to England, had just expired. She had sent in her demand, and the French Government

¹ Sir Robert Melville impressed on Cecil the same view of the question.

"Thus far," he said, "I will make your honour privy. France has offered to enter in bond with the nobility of the realm, and to give divers pensions to noblemen and gentlemen, which some did like well of; but the honest sort have concluded and brought the rest to the same effect, and will do nothing that will offend your Sovereign without the fault be in her Majesty; and it appears both Papist and Protestant serve together with an earnest affection for the weal of their country." — Robert Melville to Cecil, May 7: MSS. Scotland.

had replied that the peace of Cambray had been violated by England in the occupation of Havre, and that they were no longer bound by its provisions. On the part of England, it had been rejoined that the peace had been first broken by France in the usurpation of the English arms by Mary Stuart and the Dauphin, and by the notorious preparations which had been made to dethrone Elizabeth in their favour. So the dispute was hanging. The feeling between the two countries was growing sore and dangerous, and in the midst of it Elizabeth was encountered by the dilemma of having to encourage a fresh revolt of the Scots, or of seeing the entire results of Cecil's policy undone, and Scotland once more in permanent alliance with England's most dangerous neighbour. What was she to do? As usual, she attempted to extricate herself by ambiguities and delays. Lord Grey's instructions were out of date before he had started. She did not renew them; Grey remained at the Court, and she communicated with the Lords through the Earl of Bedford, who had returned to Berwick.

The rescue of the Queen, she said, the prosecution of the murderers of Darnley, and the protection of the young Prince, were objects all of which were most desirable; she was pleased to find her own friendship preferred to that of France; but she desired to be informed "how she might, with honour to the world and satisfaction to her conscience," "intermeddle" to secure those objects. She could not see how it could be said that the Queen of Scots was forcibly detained by Bothwell, seeing that "the Queen of Scots hourly had advertised him in a contrary manner;" and again, however much the punishment of the murderers was to be wished for, if Bothwell married the

Queen — “being by common fame the principal author of the murder” — she could not tell how it could be brought about “without open show of hostility.” The Lords, therefore, must tell her more particularly how they meant to proceed, and she hoped their intentions might be such as “she could allow of in honour and conscience.” As to deposing the Queen and crowning the Prince, “she thought it very strange for example’s sake.”¹

Elizabeth was more than usually enigmatical, since her real object was one which she durst not avow. Both she and the French desired to get the person of the Prince into their hands, under pretence of providing for his safety, and whichever first approached the subject might throw the prize into the hands of the other. Bedford, however, was permitted to hint what the Queen could not say, and to make the suggestion less unpalatable, he was allowed — as usual on his own responsibility — to hold out indefinite hopes to the Lords that they might calculate on Elizabeth’s assistance more surely than her own letter implied.²

But events were moving too fast for diplomacy of this kind. It was now publicly understood in Scotland that the marriage waited only till Bothwell’s divorce suit was concluded, and the people were growing daily more fearless in the expression of their indignation. The boys at Stirling played the murder of Darnley before the Lords. The trial of Bothwell followed, and the boy who represented Bothwell was found guilty, hurried to the gallows, and hung with such hearty good-will that, like the London youth who

¹ Bedford to Grange, June 5; Bedford to Cecil, June 5: *MSS. Scotland Rolls House.*

² *Ibid.*

played Philip before Wyatt's insurrection, he was half dead before they cut him down.¹ The law courts in Edinburgh were closed, as if the powers of the magistrates had ceased with the Queen's confinement. The whole country was hushed into the stillness which foretold the coming storm. Mary Stuart herself appeared entirely careless. She replied at last to the question which had been presented to her by the Lords: "It was true," she said, "that she had been evil and strangely handled;" but she had since "been so well used and treated that she had no cause to complain, and she wished them to quiet themselves."² The Hamiltons, for their own purposes, had held aloof from the Stirling confederates; the Archbishop of St. Andrew's, the Duke's brother, had charge of the divorce case, which he was hurrying forward with all the speed which his courts allowed; and relying on the treacherous support of his family, she despised alike the warnings and the menaces of the rest.³ The difficulty foreseen by De Silva had occurred in Bothwell's suit; the divorce being demanded by the wife on the ground of her husband's adultery, the law did not permit him to marry again. Lady Buccleuch had come to the rescue by volunteering to swear that he had promised marriage to her before he had married Lady Bothwell, and that the latter, therefore, was not lawfully his wife;⁴ but shameless as the parties were, this resource was too much for their audacity; and at length a cousinship in the fourth degree was discov-

¹ Drury to Cecil, May 14: *Border MSS.*

² Same to same, May 5: *MS. Ibid.*

³ "The Hamiltons are furtherers of the divorce, and not least gladdened with the proceedings at Court, hoping the rather to attain the sooner to their desired end." — Same to same, May 2: *MS. Ibid.*

⁴ Same to the same, April 30: *MS. Ibid.*

ered between the Hepburns and the Gordons, for which the required dispensation had not been procured. On this ground the Archbishop declared Bothwell's marriage null; for fuller security a suit was instituted in the Protestant Consistorial Court on the plea of adultery; and thus in the first week in May the Earl found himself as free to marry again as his own and the Archbishop's iniquity could render him. The object of the stay at Dunbar having been accomplished, he returned on the 3d to Edinburgh, accompanied by the Queen. On the following Sunday "the banns" were asked in St. Giles's Church. The minister, John Craig, refused at first to publish them; but Bothwell threatened to hang him, and he submitted under protest.¹ Maitland, who was still kept with the Court as a prisoner, sent private word to Drury that the marriage would certainly take place, and that he himself intended to escape at the first opportunity and join his friends.²

On the 6th Mary Stuart dared the indignation of Edinburgh by riding publicly through the streets with Bothwell at her bridle-rein. On the 7th, the last forms of the divorce were completed, and on the 8th, the Queen informed the world by proclamation that, moved by Bothwell's many virtues, she proposed to take him for her husband. The Court was still surrounded by a band of cut-throats. The Queen had 5000 crowns, besides her jewels. The gold font which Elizabeth presented at James's baptism was melted down at the Mint;³ and thus provided with means of paying their wages at least for a time, she

¹ Robert Melville to Cecil, May 7: *MSS. Scotland*.

² Drury to Cecil, May 6: *Border MSS*

³ Grange to Bedford, May 8: *MSS. Scotland*. Drury to Cecil, May 31: *Border MSS*.

assured herself that she had nothing to fear. On the 12th, she appeared in the Court of Session; "Whereas the judges," she said, "had made some doubt to sit for the administration of justice, in consequence of her captivity; she desired them to understand that although she had been displeased at her capture, the Earl's subsequent good behaviour, the recollection of his past services, and the hope of further service from him in the future had induced her to forgive him. She was now free, and under no restraint. The business of the state could go forward as usual, and as a token of her favour she intended to promote the Earl to further honour."

The same day she created Bothwell Duke of Orkney, "the Queen placing the coronet on his head with her own hands."¹

One distinct glimpse remains of this man now on the eve of his marriage, and before Mary Stuart's degradation was completed. Sir James Melville, since his release from Dunbar, had kept at a distance from the Court, not liking the Earl's neighbourhood. He came, however, once more to Holyrood to see his mistress before all was over. When he entered the hall he found the new-made Duke sitting at supper there with Huntly and some of the ladies of the Court. The Duke "bade him welcome," said he was a stranger, and told him to sit down and eat. "I said," writes Melville — he may relate the scene in his own words — "I said that I had supped already. Then he called for a cup of wine and drank to me, saying, 'You need grow fatter; the zeal of the Commonwealth hath eaten you up and made you lean.' Then he fell in discoursing with the gentlewomen, speaking

¹ Keith.

such filthy language that they and I left him and went up to the Queen.”¹

To make an end of this.

In the early daylight at four in the morning, on the 15th of May, Mary Stuart Queen of Scotland, Queen of France, and heir presumptive to the English Crown, became the wife of this the foulest ruffian among her subjects. Not a single nobleman was present; Huntly, Crawford, Fleming, Boyd, Herries, were all in Edinburgh, but they held resolutely aloof. Du Croc “came not,” though earnestly entreated. The ceremony was performed in the Council Chamber, not in the chapel. Adam Bothwell, Bishop of Orkney, who called himself a Protestant, officiated; and hopeless of gaining the Catholics, the Earl expected idly that he might earn favour with the Reformers by bringing the Queen to dishonour openly the Catholic forms, and allow herself to be married with the Calvinist service. It was not without a pang that Mary Stuart made this last sacrifice to her passion, and broke the rules of a religion which no temptation hitherto had prevailed on her to part with. She was married “in her dool weed,” in deep mourning, “the most changed woman in the face that in so little time without extremity of sickness had been seen.” She heard mass that day for the last time, and thenceforth so long as they remained together both she and her husband were to be Protestants. In true Calvinistic fashion the Earl did public penance for his past iniquities. A sermon followed the marriage, in which the Bishop “did declare the penitence of the Earl Bothwell for his life past, confessing himself to have been an evil and wicked liver, which he would now amend, and conform himself to

¹ *Memoirs of Sir James Melville.*

the Church.”¹ The passive Queen in all things submitted. His first act was to obtain a revocation from her of all licenses to use the Catholic services, and a declaration that for the future the Act of Religion of 1560, prohibiting the mass to every one, should be strictly maintained.²

It seems as if, the fatal step once taken, Mary Stuart's spirit failed her. More than once already in her sane intervals she had seen through the nature of the man for whom she was sacrificing herself. She had been stung by his coldness, or frightened at his indifference, which she struggled unsuccessfully to conceal from herself; and the proud woman had prostrated herself at his feet, in the agony of her passion, to plead for the continuance of his love.³

¹ Drury to Cecil, May 16: *Border MSS.*

² Keith.

³ How profoundly she was attached to Bothwell appears in the following letter — one of the two of which I have recovered her original words. It was written just before the marriage.

“Monsieur, — “Si l'ennuy de vostre absence, celuy de vostre oubli, la crainte du dangier tant promis dun chacun a vostre tant ayme personne peuvent me consoller, je vous en lesse a juger; veu le malheur que mon cruel sort et continuel malheur n'avoient promis, a la suite des infortunes et craintes, tant recentes que passes, de plus longue main, les quelles vous scaves. Mais pour tout cela je me vous accuserai ni de peu de souvenance, ni de peu de soigne, et moins encore de vostre promesse violee, ou de la froideur de vos lettres; n'estant ya tant randue vostre que ce qu'il vous plaist n'est agreable; et sont mes pensees tant volontierement aux vestres asubjectes, que je veulx presupposer que tout ce que vient de vous procede non par aucune des causes desusdictes, ains pour telles qui sont justes et raisonnables, et telles que je desire moymesme: qui est l'ordre que m'aves promis de prendre final pour la seurte et honorable service du seul soubtien de ma vie, pour qui seul je la veulx conserver et sans lequel je ne desire que breve mort: or est pour vous tesmoigner combien humblement sous vos commandement je me soubmetz, je vous ay envoié en signe d'homage par Paris l'ornement du chief, conducteur des autres membres, inferant que vous investant de la despoille luy qui est principal, le rest ne peut que vous estre subject; et avecques le consentement du cuer, au lieu du quil, puis que le vous ay ja lesse, je vous envoie un sepulchre de pierre dure, peinct du noir, seme de larmes et de ossements. La pierre je la compare a mon cuer qui comme luy est talle en un seur tombeau, ou receptacle de vos command-

She was jealous of his divorced wife, to whom she suspected that he was still attached, and he in turn was irritated at any trifling favour which she might show to others than himself.¹ On the day of her marriage she told Du Croc that she was so miserable that she only wished for death;² and two days after, in Bothwell's presence, she called for a dagger to kill herself.³ Du Croc gave her poor consolation. He told

ments, et sur tout du vostre nom et memoire, que y sont enclos comme mes cheveux en la bague, pour jamais n'en sortir que la mort ne vous permet faire trophée des mes os: comme la bague en est remplie, en signe que vous aves fyt entiere conqueste de moy de mon cueur, et jusque a vous en lesser les os pour memoir de vostre victoire et de mon agreable perte.

"Les larmes sont sans nombre, ainsi sont les craintes, de vous desplair; les pleurs de vostre absence et le desplaiser de ne pouvoir estre en effect exterieur vostre comme je suys sans saintyse de cueur et d'esprit: et a bon droit quand mes merites seront trop plus grands que de la plus perlayte que jamais feut, et telle que je desire estre: et mettray peine en condition de contrefair pour dignement estre employee sous vostre domination. Resents la donc mon seul bien en aussi bonne part comme avecques extreme joie j'ay fait vostre mariage, qui jusque a celui de nos corps en public ne sortira de mon sein. comme merque de tout ce que jay ou espere ni desire de felicie en ce monde. Or craignant mon cueur de vous ennuyer autant a lire que je me plaise descrire, je finiray, apres vous avoir baisé les mains d'aussi grande affection, que je prie Dieu o le seul soubtien de ma vie vous la donner longue et heureuse, et a moy vostre bonne grace comme le seul bien que je desire et a quoy je tends." — *MSS. Mary Queen of Scots*, Vol. II. No. 66, *Rolls House*.

¹ "There is often jars between the Queen and the Duke already. He was offended with her for the gift of a horse which was the King's to the Abbot of Arbroath" (Lord John Hamilton). — Drury to Cecil, May —, 1567: *Border MSS.* The anger about Arbroath may have been jealousy. "There is a witch in the North Land," Drury wrote on the 20th of May, "that affirms that the Queen shall have yet to come two husbands more; Arbroath shall be one of them, to succeed the Duke now, who she says shall not live half a year or a year at the most. The fifth husband she names not, but she says in his time she shall be burned, which death divers doth speak of to happen to her, and as yet it is said she fears the same."

² A very commonplace reason was given by Maitland for her unhappiness. "Bothwell," he said, "would not let her look at any one, or let any one look at her, et qu'il scavoit bien qu'elle aymoît son plaisir et a passer son temps aultant que autre du mond." — Du Croc to Catherine de Medici June 17: Teulet, Vol. II.

³ Same to the same, May 18: *Ibid.* Sir James Melville, probably re

her that her marriage was utterly inexcusable ; if the Queen Mother had not forbidden him to leave his post he would not have remained in Edinburgh after it had taken place, and he refused to pay respect to Bothwell as her husband.¹ Yet her periods of wretchedness were but the intermittent cold fits in the fever of her passion. She had sacrificed herself soul and body and he held her enthralled in the chains of her own burning affection.

In Scotland generally there was yet outward stillness. The Lords had threatened that if she married they would crown the Prince. It seemed as if they had thought better of it, for they dispersed to their homes ; and the Queen, taking courage, sent a demand to the Earl of Mar for the surrender of Stirling and of the child. Elizabeth's uncertain answer had delayed the resolution to act ; and Mar, not venturing to give a direct refusal, could only reply that " he dared not deliver the Prince out of his hands without consent of the Estates." The answer was allowed to pass. It was not Bothwell's object to precipitate a quarrel, and he continued to follow the course which he began at his marriage by paying court to the Protestants. He attended the daily sermons with edifying regularity, and was pointedly attentive to the ministers. Every day he rode out with the Queen, and was ostentatiously respectful in his manner to her. There were pretty struggles when he would persist in riding " unbonneted," and she would snatch his cap

ferring to the same scene, says, " The Queen meanwhile was so disdainfully handled and with such reproachful language, that in presence of Arthur Erskine, I heard her ask for a knife to stab herself ; ' or else,' said she, ' I shall drown myself.' " — *Memoirs of Sir James Melville*.

¹ " Si est ce que jay parle bien hault . . . ni depuis ne l'ay point voulu recognoistre comme mary de la Reyne." — Teulet, Vol. II.

and force it on his head. "The hate of the people increased more and more," yet he would not see it ; and though he went nowhere without a guard, yet he offered himself as a guest at the meals of the unwilling Edinburgh citizens. On the 25th of May, to amuse the people, there was a pageant at Leith, and a sham fight on the water was got up by Bothwell's followers. Everything was tried to dispel the strangeness, and make the marriage appear like any other ordinary event. The Bishop of Dunblane was sent to Paris, to pacify the Queen's friends there. He was to excuse her as having been forced into marrying Bothwell by what had happened at Dunbar ; yet not so severely to blame him as to make him appear unfit to be her husband. It was but a limping message. She said in her instructions to the Bishop, that the Earl had been misled into violence by the vehemency of his love ; that he had been a faithful servant in her past troubles ; and, that persecuted as he was by calumny, she had no means of saving his life except by becoming his wife. Not very consistently with this argument, she said that all Scotland seemed to be at his devotion. Her people desired to see her married rather to a native Scot than to a stranger. Bothwell had shocked her in many ways ; especially he ought to have considered what was due to her religion. Yet she did not wish that too much fault should be laid upon him. The past could not be recalled. He was her husband, and she trusted that other courts would accept him as such. It might be objected that he had been already married ; but a legal divorce had been pronounced, and he was free before she became his wife.¹

¹ Instructions to the Bishop of Dunblane.

She could not conceal from herself the lameness of the explanation, but she hoped it would be admitted as tolerable; and she wrote at the same time to the Archbishop of Glasgow, begging him "to bestow his study in the ordering of the message, and in persuading those to whom it was directed to believe that it was the truth."¹

Dunblane made but a poor apologist. He spoke of himself when he arrived as a fugitive for religion from a country where the Catholic faith would no longer be permitted to exist. The Archbishop of Glasgow did his best, with truth or without it. He ventured a falsehood to the Spanish Ambassador, assuring him that the report that she had forsaken her religion was incorrect, and that the day after her marriage a thousand persons had heard mass with her. Dunblane, however, let out the fatal certainty, and with it his own fears, that "unless God set to His hand, there would soon be no more mass in Scotland."²

The French Court received the apology with open and undisguised contempt. Mary Stuart was regarded as a lost woman, and their own policy was now to anticipate England in supporting the Lords, to get the Prince into their hands, and recover thus the influence which they had lost. "The Queen Mother," wrote

¹ Mary Stuart to the Archbishop of Glasgow, May 27: Labanoff, Vol. II.

² "Dixó me el dicho embajador (the Archbishop of Glasgow, ambassador at Paris) que el día siguiente del matrimonio de su ama, fué publicamente á la missa, y que hubó mill personas en ella. Dice el obispo (de Dunblane) que es burla, y verdad que el proprio día que se casó, oyó missa, y de la capilla donde la oyó fué á una sala grande donde se hizo el matrimonio por mano de uno obispo el mayor herege que ay en aquel reyno; y que toda la cerimonia fué á la Calvinista: y ninguno de los días despues del matrimonio sabe que se haya dicho en su casa, y que algunos particulares la hacen decir en sus casas secretamente, pero que esto se acabará presto si Dios no pone su mano." — Don Frances de Alava á Felipe II. Junio 16. Teulst, Vol. V.

Sir H. Norris,¹ "is minded all she can to make profit of this cruel murder, and to renew the old practices there with as many as shall be able to serve her turn."²

"Your Majesty," said Du Croc to his mistress, "may show yourself as displeased as you will with this marriage. It is a bad business. For myself, I had better withdraw, and leave the Lords to play their game for themselves."³

It was not to be long in playing. The first week in June, Argyle, Morton, Athol, Glencairn, the Master of Graham, Hume, Herries, Lindsay, Tullibardine, Grange, and many other noblemen and gentlemen, rejoined Mar at Stirling. Maitland stole away to them from the Court without leavetaking. Catholic and Protestant for once were going heartily together.

Their first thought was to make a stoop on Holyrood, surround the palace, and take Bothwell prisoner. Argyle, who was himself too deeply committed in the murder to appear in the field, sent warning to the Queen; and the Duke, seeing plainly that the crisis was come, and that he must fight or perish, determined to be the first in the field. Money was again wanting. Mary Stuart had not disposed of her jewels, and the guard was mutinous and untrustworthy. Bothwell's chief strength lay among the borderers. He sent word to his friends to collect at Melrose on the 7th of June; and dropping the Queen at Borthwick Castle on his way, hastened down, with as many of his men as would follow him, to place himself at their head.

¹ The English Minister at Paris.

² Sir H. Norris to Sir N. Throgmorton, May 23: *Conway MSS. Rolls House*.

³ Du Croc to Catherine de Medici, May 18: Teulet, Vol. II.

He was out of favour with fortune, however. Maxwell, Herries, and Lord Hume prevented the borderers from moving, and on reaching the rendezvous he found no one there. He returned upon his steps, rejoined the Queen, and sent to Huntly, the Archbishop of Saint Andrew's, and Sir James Balfour, who were in Edinburgh Castle, to come to him with all the force which they could raise. The Lords themselves, meanwhile, on hearing of the Queen's departure had come to Edinburgh. Bothwell's messenger was intercepted by a band of Morton's followers; and Morton, learning where Bothwell was, attempted to surprise him. Hume, Lindsay, and Mar joined the party, and on the night of the 10th (Tuesday) they galloped down to Borthwick and surrounded the castle in the darkness. Some of them, professing to represent the succours expected from Edinburgh, presented themselves at the gate; they said that they were pursued, and clamoured for admittance. The Duke at the moment was stepping into bed. He flung on his clothes, on hearing the noise, and reached the courtyard barely in time to discover the mistake and prevent the stratagem from being successful. But the castle was unfurnished and could not long be defended. He knew that if he was taken he would be instantly killed, that his dangerous secrets might die with him; and accompanied only by a son of Lord Cranston, he slipped out by a postern among the trees. The fugitives were seen and chased, and they separated to distract their pursuers, who unluckily followed and caught the wrong man. Bothwell was not an arrow-shot distant; and young Cranston in his terror pointed to the way which he had taken, but he was not

June.

believed. The Duke escaped to Haddington, and thence to Dunbar.

The Lords, not knowing at first that he was gone, were shouting under the windows — “calling him traitor, murderer, butcher,” “bidding him come out and maintain his challenge.” The Queen too was not spared, and foul taunts were flung at her, which she, desperate now and like a wild cat at bay, returned in kind.¹ When they learned that Bothwell had escaped, they drew off, leaving the Queen to dispose of herself as she pleased, and returned to Edinburgh. They arrived at eight in the morning. The castle party had shut the gates, but Lindsay scaled the wall without meeting any resistance, and the Lords then entering in a body repaired to the marketplace, and declared publicly that they had risen in arms “to pursue their revenge for the death of the King.” Du Croc, anxious to prevent bloodshed, went to the castle to consult Huntly, and by Huntly’s advice sent to Mary to offer to mediate. She replied that he might do what he could, but if the Lords intended to injure her husband she would make no terms with them.²

Thus events were left to their course, and as the mountain heather when kindled in the dry spring weather blazes in the wind, and the flame spreads and spreads till all the horizon is ringed with fire, so at the

¹ “With divers undutiful and unseemly speeches used against their Queen and Sovereign, too evil and unseemly to be told, which, poor Princess, she did with her speech defend, wanting other means in her revenge.” — Drury to Cecil, June 12. These words were crossed out in the MS. and made illegible, though from the fading of the second ink they can now again be read. The letter perhaps had to be shown to Elizabeth, and Cecil may have feared to let her see what might exasperate her too much against the Lords.

² “Mais s’ilz ataquoiēt à son mari qu’elle ne vouloit point d’appointement.” — Du Croc to Charles IX., June 12: Teulet, Vol. II.

proclamation of the Lords the hearts of the Scotch people flashed up in universal conflagration. The murdered Darnley was elevated into a saint and endowed with all imaginary virtues;¹ and in flying

¹ The feeling of the Scottish people at this crisis is singularly and powerfully expressed in the following ballad, which was printed on broad sheets and scattered about Edinburgh.

A BALLAD.

To Edinburgh about six hours at morn,
As I was passing *pansand* out the way,
Ane bonny boy was sore making his moan -
His sorry song was Oche and wallaway

That ever I should lyve to see that day,
Ane King at eve with sceptre, sword and crown;
At morn but a deformed lump of clay,
With traitors strong so cruelly put down!

Then drew I near some tidings for to speir,
And said, My friend, what makis thee sa way;
Bloody Bothwell hath brought our King to beir
And flatter and fraud with double Dalilay.

At ten hours on Sunday late at een
When Dalila and Bothwell bade good night,
Off her finger false she threw ane ring,
And said, My Lord, ane token you I plight.

She did depart then with an untrue train,
And then in haste an culverin they let craik,
To teach their feiris to know the appoint time
About the King's lodging for to clap.

To dance that night they said she should not slack
With leggis lycht to hald the wedow walkan;
And baid fra bed until she heard the crack,
Whilk was a sign that her good Lord was slain.

O ye that to our kirk have done subscribe,
Thèse Achans try alsweill traist I may,
If ye do not the time will come belyve,
That God to you will raise some Josuay;

Whilk shall your bairnis gar sing wallaway
And ye your selvis be put down with shame;

broadsheets of verse, every Scot who could wield blade, couch lance, or draw trigger, was invited to take part in the revenge.

A message came up from Berwick that if there was

Remember on the awesome latter day,
When ye reward shall receive for your blame.

I ken right well ye know your duty,
Gif ye do not purge you ane and all,
Then shall I write in pretty poetry,
In Latin laid in style rhetorical;

Which through all Europe shall ring like ane bell,
In the contempt of your malignity.
Fye, flee fra Clytemnestra fell,
For she was never like Penelope.

With Clytemnestra I do not fane to fletch
Who slew her spouse the great Agamemnon;
Or with any that Ninus' wife does match,
Semiramis quha brought her gude Lord down.

Quha do abstain fra litigation,
Or from his paper hald aback the pen?
Except he hate our Scottish nation,
Or then stand up and traitors deeds commend?

Now all the woes that Ovid in Ibin,
Into his pretty little book did write,
And many mo be to our Scottish Queen,
For she the cause is of my doleful dyte.

Sa mot her heart be fillet full of syte,
As Herois was for Leander's death;
Herself to slay for woe who thought delyte,
For Henry's sake to like our Queen was laith.

The dolour als that pierced Dido's heart,
When King Enee from Carthage took the flight;
For the which cause unto a brand she start,
And slew herself, which was a sorry sight.

Sa might she die as did Creusa bright,
The worthy wife of douty Duke Jason;
Wha brint was in ane garment wrought by slight
Of Medea through incantation.

to be a civil war, the Lords had better send the Prince to England for security. It was a poor dishonest overture, and at the moment and in their present humour they had no leisure for such small intrigues. They had taken in hand an unexampled enterprise, and till the work was done they would not let their minds be called away from it.

On Wednesday night, the 11th, Mary Stuart herself stole away, disguised as a man, from Borthwick. Bothwell met her on the road and brought her to Dunbar, where she arrived at three in the morning. There, without wardrobe, without attendants save the Duke's troopers, she borrowed a dress from some woman about

Her laughter light be like to true Thisbe,
When Pyramus she found dead at the well,
In languor like unto Penelope,
For Ulysses who long at Troy did dwell.

Her dolesome death be worse than Jezebel,
Whom through an window surely men did throw;
Whose blood did lap the cruel hundys fell,
And doggis could her wicked bairnis gnaw.

Were I an hound — oh! if she were an hare,
And I an cat, and she a little mouse,
And she a bairn, and I a wild wod bear,
I an ferret, and she Cuniculus.

To her I shall be aye contrarius —
When to me Atropos cut the fatal thread,
And fell deithis dartys dolorous,
Then shall our spirits be at mortal feid.

My spirit her spirit shall douke in Phlegethon,
Into that painful filthy flood of hell,
And then in Styx and Lethe baith anone —
And Cerberus that cruel hound sa fell

Shall gar her cry with mony gout and yell,
O wallaway that ever she was born,
Or with treason by ony-manner mell,
Whilk from all bliss should cause her be forlorn.

the place. The Captain of Inchkeith, a Frenchman in Bothwell's pay, who came in at his master's summons, found the Queen of Scotland in a short jacket with a red petticoat which scarcely reached below her knees,¹ the royal dignity laid aside with the royal costume — but once more herself in her own free fierce nature, full of fire and fury. As before when she had fled to the same Dunbar after Ritzio's murder, she seemed to need no rest. Her one thought was to rally every man from every corner of the country who would rise in her cause. The hackbutters were got together, two hundred of them, some light field-pieces, and a few score of horse. Bothwell went off towards the Border again, where his own people were at last gathering to join him; and not caring to be cooped up in Dunbar, the Queen dared her fate and resolved to advance against the Confederate Lords. On Thursday morning she had reached Dunbar — on Saturday she moved out of it at the head of some six hundred men, who in one way or another she had scraped together. Bothwell joined her at Haddington with sixteen hundred more, and together they went on to Seton. There, in that spot, full to her of evil memories, they passed the night. The next day they meant to be in Edinburgh, where they hoped to find the castle still held for them by Sir James Balfour.

Hearing that the Queen was coming, the Lords made up their minds for the struggle. The same Saturday before midnight the trumpets sounded
 June 15. to horse. By two o'clock on the Sunday

¹ "Estant adverti je partis de ceste ville pour les aller trouver à Donbar, ou elle estoit abillée d'une cotte rouge qui ne luy venoyt que à demie de la jambe, et avoit emprunté ung tounriche (*sic*) avec un tafetaz pardessus." Teulet Vol. II. p. 303. The account in Calderwood says merely "a short petticoat little syder than her knees." Vol. II. p. 364.

morning their little army was on the road to Musselburgh — two thousand men more or less — about as many as were with the Queen and Bothwell. The dawn was clear and cloudless, the still opening of a hot June day, as they wound along the valley under Arthur's Seat. Their banner was spread between two spears. The figure of a dead man was wrought upon it lying under a tree; a shirt lay on the ground, a broken branch, and a child on its knees at its side, stretching its hands to heaven and crying, "Judge and revenge my cause, Oh Lord."

So in the grey light they swept on; at five they were at the old bridge at Musselburgh, and there halted to breakfast. Du Croc, in the absence of positive instructions, could not commit himself by accompanying them, but he followed at a distance, and while they were waiting came up and again volunteered to mediate. Whatever had been their Sovereign's faults, he said, they were bound to remember that she *was* their Sovereign. As they had not accepted his previous overtures he could not answer what the Court of France might do, and victory might be as embarrassing to them as defeat.

Had the Lords shown any resolute intentions of throwing themselves upon France, his language would doubtless have been very different; but they had seen in both France and England a mean desire to make political advantage out of their difficulties, and with serious business in hand they did not choose to be trifled with.

They replied coldly that there were but two modes by which bloodshed could be avoided. If the Queen would abandon the wretch whom she called her husband, they were ready to return to their allegiance.

If Bothwell would maintain his own challenge, either alone, or with as many seconds as he pleased, they would produce on their side an equal number, who were ready to fight in the quarrel.

Du Croc, apparently conscious that neither of these alternatives would be accepted, asked if there was no third expedient. They said that they could think of nothing else. They would rather be buried alive than leave the King's murder unexamined into and unpunished. The God of Heaven would revenge it upon them if they sate still.

Du Croc asked to be allowed to go forward to the Queen. They were most unwilling to consent. They knew not what he might say or do. He promised that if he failed to persuade her to make some concessions he would not remain with her. They still hesitated, but at last Maitland interposed and they yielded. They gave him a few horse for an escort, and bade him go to the Queen or go where he would.

Mary Stuart, on the news that the Lords were advancing, had been early in the field at Seton. Her pennons could be seen from beyond the bridge, two miles distant on the brow of the hills towards Preston Pans, on the ground on which the English army had slept twenty years before, the eve of the battle of Pinkie Cleugh. Du Croc was led into her presence. She was sitting on a stone in the dress which she had borrowed at Dunbar. He told her how it would grieve the King of France and the Queen Mother to hear the issue at which she had arrived with her subjects. He told her what the Lords had said, and implored her to consider what she was doing.

She said fiercely that the Lords were going against their own plighted word. They had themselves ac-

quitted the Earl of the crime of which they now accused him. They had themselves recommended her to marry him. They should submit and sue for mercy, and she would then receive them back into her favour.

While she was speaking Bothwell came up with his suite. Du Croc saluted him distantly, but declined to take his hand.¹ He demanded in a loud voice, that all who were standing round might hear, whether it was against himself that the Lords' enmity was directed

Du Croc replied in the same high tone, that the Lords had assured him of their loyalty to the Queen; and he added, dropping his voice, "of their mortal enmity to his Lordship."

Again Bothwell asked what hurt he had done to them — they envied his elevation — but fortune was a friend to all who had the spirit to accept her favours — and there was not one of them who would not gladly be in his place. But he desired no bloodshed, he said, and since things were come to that pass, if the Lords would produce a champion of sufficient rank, he would waive his own privileges as the Queen's consort, and would meet him in the field; his cause was good, and God would be on his side.

Mary Stuart, fuming and chafing, here broke in. "The quarrel was hers," she cried. "The Lords should yield, or try their chances in a battle."

"Then there is no need for further parley," said Bothwell; and your Excellency may, if you please, be like the envoy who tried to mediate between Scipio and Hannibal. He could do nothing, and stood aside, and so witnessed the most splendid spectacle in the world."

¹ "Nous nous saluâmes, mais je ne me presentay point pour l'embrasser." Du Croc to Charles IX.: Teulet, Vol. II.

Du Croc, in his account of the scene, credited Bothwell with bearing himself like a man, and with displaying fine qualities as a commander. He thought that if his followers were true to him, he might, after all, come out victorious. Not a single nobleman was on his side; but he rather gained than lost by their absence, because he commanded alone. Tears rose into Mary Stuart's eyes as Du Croc took leave of her. He rode back to the Lords, and told them that she insisted on their laying down their arms. They said it was impossible; and he withdrew from the field.

The two parties were by this time close together. The Confederate force, after crossing the river, had edged along the meadows towards Dalkeith, on the eastern bank, before turning to the hills, and then sweeping round, they took up a position on the ridge of Cowsland, with the sun upon their backs. In front of them was a hollow, "two or three crossbow shots across," and on the opposite side, the Queen's lines, covering the slopes and crest of the present park at Carberry.¹

Here, from eleven o'clock till two, the armies remained confronting each other; each side being unwilling to lose the advantage of the ground, and descend to the attack. The day was intensely hot. Bothwell's men showed no anxiety to fight; and some wine casks having followed them from Seton, as the day wore on, they began to fall into the rear to drink.² They were ordered back to their ranks; but they paid no attention; and at last not more than three or four

¹ "L'autre costé voyant que nous avions l'avantaige de cest endroit, ilz marchent et gagnent une autre mont à deux ou trois jects d'arballatre l'ung de l'autre." — *Narrative of the Captain of Inchkeith*: Teulet, Vol II. p. 305. This precise description renders the spot easy to be identified.

² *Ibid.*

hundred men remained about the Queen. The humour of the men was evidently cold. There was a general feeling that the quarrel was personal; that if the Duke was willing to fight it out alone, there was no reason why he should not be allowed to do so; and at last two French gentlemen went across to learn whether the Lords would still abide by their proposal.

Tullibardine, who had before taken up the challenge which Bothwell pinned against the Tolbooth door, instantly stepped forward. The Duke made no difficulty; but the Queen, cowardly for him, though for herself incapable of fear, found an excuse in Tullibardine's rank. "He was too mean a man," she said, "to fight her husband."

Bothwell, villain as he was, would not show the white feather in the field, and in the Queen's presence: "Let Morton meet him then," he said.

Morton desired nothing better. Morton better than any one knew Bothwell's guilt; for Bothwell had tried to make him a partner of it. But Lord Lindsay, clear himself of any stain of faint complicity in the crime, claimed precedence as a nearer kinsman of the dead King. Morton gave place. Lindsay stepped out before the lines, "prayed, on his knees, that God would preserve the innocent, and punish those who had shed innocent blood," and then stripped off his armour. Morton gave him the huge double-handed sword of Angus Bell-the-Cat; while Bothwell implored Mary Stuart to consent that he should undertake the combat.

She, torn with a thousand feelings, hate and rage, and terror for her husband's safety, agreed, and again refused, and then cried passionately to the group who were round her, that "if they were men they would

go down all upon the traitors, and sweep them from the hill-side." ¹

But her wild words fell powerless. In the long delay, the two parties had intermixed, and conversed freely. The merits of the quarrel were too well understood. The order was given for an advance in the Queen's army, but not a man stirred; and she was forced to feel that her case was desperate. Finding Bothwell did not come forward, two hundred Confederate horse, led by Kirkaldy of Grange, crossed the hollow to the right, as if to cut off his retreat. Still thinking only of Bothwell's safety, she sent a message, with a white flag, to desire Grange to come to her.

He approached and knelt at her feet. She asked, passionately, if it was impossible for the Lords to be reconciled to her husband. Grange answered, that the Lords were irrevocably determined to take him or die. But glad enough as they would be to kill Bothwell, she knew well that there were some of them to whom as a prisoner he would be dangerously inconvenient; she induced Grange to go again to consult his friends; and he returned presently, with a message, that if the Queen would leave the Earl, and return with them to Edinburgh, she would be well treated, and the Duke might go where he pleased; but she must come to an immediate resolution, or it would be too late, as the evening was growing on.

The Lords were seen mounting their horses; the men astir, and preparing to cross the hollow. The

¹ The Bishop of Ross, in his *Defence of Queen Mary's Honour*, says that she prevented an engagement from a desire to spare her subjects Nothing can be more untrue. The Captain of Inchkeith says distinctly "Elle ne desiroit autre chose que de les faire combattre, et persuada Mon sieur le Duc plusieurs fois a ce faire et se avancer." — Teule. Vol. II. 308.

Queen's force had been all day melting away, and was now reduced to a handful of the Duke's personal followers. Even escape, except with the permission of their enemies, was become impossible; and with a bitter wrench of disappointment, the Queen saw that so it must be. There was nothing left but to bid him farewell. He bade her remember her promise to be true to him. She wrung his hand, and with a long passionate kiss they parted. Bothwell sprang upon his horse, and galloped off with his servants unpursued. The Queen, turning to Grange, said she was ready to go with him; and scornful, proud, defiant as ever, she allowed him to conduct her into the lines of the Confederate noblemen.

She was received by Morton and Hume with the usual signs of homage. She required them to take her to the Hamiltons, who were believed to be in force in the neighbourhood. Morton said briefly it could not be. He told her that she was now in her proper place, among her true and faithful subjects. She felt that she was a prisoner, and that the net had closed about her. The first faint tokens of respect which had been paid to her soon disappeared. As she passed between the ranks, a long fierce cry rose out of the crowd, "Burn the whore!" "Burn the murderess of her husband!"¹ The Queen shuddered at the horrible sound;² Grange and others rode up and down, striking at the speakers with the flat of their swords to silence them; but it was to no purpose; the pent-up passion of a whole people was bursting out. As she

¹ *Narrative* in Calderwood.

² "After her coming in to the Lords upon Sunday in the field, the Earl of Athol's company, with the Lord of Tullibardine's and others who were of the North parts, with one voice cried in her hearing 'Burn the whore!' which much amazed and grieved her, and bred her tears amain." — Drury to Cecil, June 20: *Border MSS.*

was borne along, the banner, with Darnley's body on it, was flaunted before her eyes. She had touched no food since the night before, "and could scarce be held upon her saddle for grief and faintness;" but like some fierce animal brought to bay and in the clutch of the hounds, she still fought and struggled. "I expected," wrote Du Croc, "that the Queen would have been gentle with the Lords, and have tried to pacify them; but on her way from the field she talked of nothing but hanging and crucifying them all."¹ They protested that their intention had been only to punish Bothwell for his crimes. She said they should never do it while she lived.² Lindsay was the special object of her fury. "Give me your hand, my lord," she said to him, as he rode beside her. "By this hand," she swore, as he gave it, "by this hand, which is now in mine, I will have your head for this, and thereof assure you."³ She lingered on the road wherever she could, looking for the Hamiltons to rescue her; and the long June evening was growing dark as they brought her at last into Edinburgh. She was in the same wild costume, but "her face was now disfigured with dust and tears." The crowd was so dense in the streets, that they could but move at a foot's pace in single file; and from all that close-packed throng, and from every stair and window, there rained only yells, and curses, and maledictions. Through it all she was forced along, the road leading her past Kirk-a-Field, which still lay charred in ruins. A lodging had been prepared for her at the Provost's house, at the corner of the Grassmarket. Supper was on the table; but she was one of those high-blooded people whose bodies

¹ Du Croc to Catherine de Medici, June 17: Teulet, Vol. II p. 310.

² Sir John Foster to Elizabeth, June 20: *Border MSS.*

³ Drury to Cecil, June 18: *MS. Ibid.*

do not ask attention when the soul is sick. She desired to be taken to her room instantly; but even privacy was at first denied her. The shrieking mob crowded on the stairs, and forced themselves into her very presence, till Maitland, whom she saw under the window, and called to help her, came up, and drove them out. To Maitland she could speak as to one who had but lately owed his life to her. When they were alone, she asked him, in agony, why they had torn her from her husband, with whom she had looked to live and die? ¹ He told her, that they were doing her no injury, they were consulting only both her honour and her interest. "She did not know the Duke," he said. "Since her pretended marriage with him, he had, again and again, assured Lady Bothwell that she only was his wife, and that the Queen was his concubine;" he said he could show her Bothwell's own letter which contained the words. But nothing which he could say produced the least effect; ² the only desire of the Lords, at this time, was to wake her from her dream and induce her to sacrifice the wretch to whom she had attached her fortunes; she herself, with a devotion which their joint crimes could not deprive of beauty, told Maitland, at last, that she would be content to be turned adrift with Bothwell in a boat upon the ocean, to go where the fates might carry them. ³

¹ "Avec le quel elle pensoit vivre et mourir avec le plus grand contentement du monde." — Du Croc to Catherine de Medici, June 17: Teulet, Vol. II.

² De Silva was even informed that the Duke after his marriage spent several days in each week with the wife that he had divorced. "Avisan que ei Bothwell todavia estaba algunos dias de la semana con la muger con que habia hecho el divorcio." — De Silva al Roy, Junio 21: *MS. Simancas*. De Silva had his own Catholic correspondent in Scotland, and his words therefore have an independent value.

³ "La fin de leurs propos fut que estant reduite en l'extremité ou elle estoit elle ne demandoit sinon qu'ilz les missent tous deux dans un navire pour les envoyer là ou la fortune les conduiroit." — *Ibid*.

Maitland, when he left the Queen, had a conversation with Du Croc, in which he seemed to think that if she would not give up Bothwell, this was the best course to be pursued with her. She might go where she would, he said, provided it was not to France. Du Croc replied that if she went to France, the King would judge her deeds as they deserved, for the unhappy truth was but too surely proved.¹ The Ambassador would have been well pleased had the Queen, Bothwell, and Prince been sent to France, all three of them; the Queen to be shut up in a convent, Bothwell to be hanged, and the Prince to be educated in French sympathies. He told Maitland they would find it harder to keep the Queen than to take her. If they called in the English to assist them, the King of France would indisputably take the Queen's part. Maitland could only reply that so far they had had no intelligence with any foreign Power at all. They desired only to be left to themselves, and they could settle their own quarrels. If his master interfered, then indeed they would be driven back upon England, but they would far rather see both the Prince and the realm under the open protection of France.

France, replied Du Croc, would scarcely take part avowedly against the Queen, but France would leave them to do as they pleased, provided the English were not allowed to meddle.²

Du Croc knew as well as Maitland that for de-throned princes there is but one safe prison, and these words might easily have been Mary Stuart's death-warrant. Had it been so, she would have fallen in

¹ "Je luy dietz au contraire que je vouldrois qu'ilz y fussent et le Roy en jugeroit comme le fait le merite car les maleureux faicts sont trop prouvés." — Du Croc to Catherine de Medici, June 17: Teulet, Vol. II.

² *Ibid.*

the midst of her faults with a perverted heroism which would have gone far to make the world forgive them. "During all these scenes," said the Captain of Inchkeith, "I never saw man more hearty and courageous than the Queen. She desired nothing so much as to fight out her quarrel in fair battle with the Lords.¹ Left alone to brood over Maitland's story, the poor creature wrote a few passionate words of affection to Bothwell which she bribed a boy to carry to Dunbar. The boy took the money, and carried the note to the Lords. As day broke, in a fresh spasm of

June 16.

fury, she flung open the window, and with hair all loose and bosom open, she shrieked for some friend to come and set her free. In answer, the banner was again dangled before her, and hung where she could not look out without encountering its terrible design. She could touch no food. It was said that she had made a vow to eat nothing till she was again with the Duke. A woman who saw her at the window flung some bitter taunts at her. She turned venomously, "threatened to cause burn the town, and slocken the fire with the blood of its inhabitants."² Thus beating against the bars of her cage, she passed the weary hours. While she continued in such a humour what was to be done with her? The letter to Bothwell added fuel to the already excited passions of the Lords. In meddling with sovereigns fear is ever mixed with considerations of policy; to rise in arms against the prince, if it fails, is death; and there

¹ "Je ne veult point oublier que durant toutes les menées par cydevant mentionnées je ne veis jamais homme de plus grand cueur et de plus grand courage pour mettre une entreprise a execution de bataille que la Reyne de sa part: car j'estime que son principal but estoit pour donner la bataille aux seigneurs dessus nommez." — *Recit des Evenemens*: Teulet, Vol. II.

² Calderwood.

was usually but a short shrift for such dangerous prisoners. Once before she had slipped through the Lords' hands. They could not risk such a misadventure a second time, and though safe on the side of France, they knew not what to look for from Elizabeth.

Once more they entreated her to abandon Bothwell. But "she would agree to nothing whereby the Duke should be in danger;"¹ and in a council which was held on Monday, voices were already raised to make a swift end with her. She had committed crimes, it was said, for which a common woman would have deserved to die; if, because she was their sovereign, it was unlawful to execute her, it was unlawful also to keep her a prisoner; so long as she lived there would forever be conspiracies to set her at liberty, and "it stood them on their lands and lives to make her safe."²

Morton, to his credit, interfered, at least to protract the catastrophe, till they had made a further effort to tame her spirit. Some one prophetically said, that "as Morton was a stayer of justice, he should feel the justice of God strike him with the sword;" but his own conscience was not so clear in the business of the murder that he could allow the whole weight of it to be visited on the Queen.

It was necessary, however, to determine upon something, for the people were becoming fast uncontrollable. The Laird of Blackadder, one of Bothwell's officers, was brought into Edinburgh in the morning. He had been taken at sea, in attempting to escape from Dunbar. Report said that he was one of the murderers; and as he was dragged through the street, the

¹ Note of occurrences in Scotland, June 24: *MSS. Scotland, Rolls House*

² Calderwood.

mob rushed at him with knives and stones, and it was with the greatest difficulty that he was brought alive into the gaol.¹ If the Queen remained in the town, the house might be broken into, and she might be torn in pieces. At Kinross, on the borders of Fife, in the most Protestant district of Scotland, far away from Gordons or Hamiltons, or Catholic Highlanders, lay the waters of Lochleven, made immortal in Scottish history by the events of the few next months. Towards the middle of the lake, half a mile from the shore, was an island about an acre in extent, on which a castle stood belonging to Sir William Douglas, half-brother to the Earl of Murray. Here, under the charge of the Lady of Lochleven, once the mistress of her father, the Lords determined to immure their Sovereign till they could resolve at leisure on her fate. When informed of their intention, Mary Stuart fiercely charged them with treachery. She had placed herself in their hands, she said, under promise of fair treatment, and they were breaking their plighted word. It was coldly answered that she too had promised to separate herself from Bothwell, and on the past night she had assured him of her unfailing affection. She must submit to be restrained till she could be brought to some better mind.

It was unsafe to remove her by daylight. Blackadder had swift justice or swift injustice. He was tried, sentenced, executed, and quartered, all in a few hours, protesting his innocence to the last; but the citizens were in no humour to discriminate. After dark, on Monday evening, the Queen was taken down to Holyrood. The streets were full as ever, and a guard of 300 men was barely sufficient to keep off the howl-

¹ Drury to Cecil, June 20: *Border MSS*

ing people. She went on foot between Athol and Morton, amidst weltering cries of "Burn her! burn her! she is not worthy to live. Kill her! drown her!"¹ Could the mob have reached her, she would have been sent swiftly with a stone about her neck into the Nor Loch. The palace was not safe, even for the night. In an hour or two she was carried on to Leith, and thence across the water to Burnt Island; a rapid ride of twenty miles brought her thence to the island fastness, where early on Tuesday (so swiftly the work was designed and executed), the Queen of Scotland was left to rest and to collect her senses.

Having thus secured their prisoner, the Confederate noblemen drew up in form a defence of their proceedings. The composition of it showed more regard for the Queen's honour than for the completeness of their own justification: they brought no charge against her of any worse crime than infatuated love for a bad man. As yet they had evidently formed no intention of pushing matters to extremity, and meant rather to leave the road still open for her to extricate herself.

The late king, they said, having been shamefully murdered, "the fame thereof was in six weeks dispersed in all realms and among all Christian nations; Scotland was abhorred and vilipended; the nobility and whole people no otherwise esteemed but as if they had been all participant of so unworthy and horrible a crime." "None of the Scottish nation, though he was never so innocent, was able for shame in any foreign country to shew his face." There had been "no man-

¹ Drury to Cecil, June 20: *Border MSS. Narrative of the Captain of Inchkeith*: Teulet, Vol. II.

ner of just trial." There was no prospect of any just trial. The murderers could not be arrested, because the chief of them "made the stay." The Earl Bothwell had appeared at the bar, but he came there "accompanied with a great power of waged men of war, that none should compeer to pursue him." The murder was committed, and justice was smothered and plainly abused.

"Adding mischief to mischief, the Earl Bothwell had beset her Majesty's way, took and ravished her most noble person, and kept her prisoner at Dunbar, while sentence of divorce was pronounced between him and his lawful wife, grounded upon the cause of his own turpitude." He had thus pretended to marry her Majesty; her faithful subjects were allowed no access to her; "her chamber door was continually watched by men of war;" and the noblemen, though too late, began to consider her Highness's shameful thralldom, and the danger of the fatherless Prince; his father's murderer and his mother's ravisher being clad with the principal strength of the realm, and garnished with a guard of mercenaries.

To deliver their sovereign from ignominy, to preserve the Prince, and to see justice ministered, they had taken arms; and they bound themselves never to leave their enterprise till the King's murderers had been executed, the wicked marriage dissolved, their sovereign released from her thralldom, and the Prince placed in safety.

"The which to do and faithfully perform," they then and there bound themselves, "as they would answer to Almighty God upon their honour, truth, and fidelity—as they were noblemen and loved the honour of their native country;—wherein if they failed

in any point they were content to sustain the spot of perjury, infamy, and perpetual untruth, and to be accounted culpable of the above-named crimes, and enemies and betrayers of their native country forever.”¹

¹ Band of the Lords, June 16. Printed in Keith.

CHAPTER XIV.

THE ex-Queen of France, the sister-in-law of the King, the niece of the Cardinal of Lorraine, might naturally have looked for support to the country which had so long been her home. The Queen of England might have been expected to regard her misfortunes with indifference if not with satisfaction. Whatever might have been their personal feelings, both Charles and Catherine on one side, and Elizabeth on the other, were determined in the course which they pursued by public considerations alone. From France Mary Stuart found the most settled disregard; from Elizabeth, immediate and active friendliness.

As soon as it was known in Paris that the Lords had taken arms against the Queen, the first thought, as Du Croc anticipated, was of the effect which the insurrection might produce, or of the use to which it might be turned, in renewing the old relations between France and Scotland. The Queen's cause, even before her capture at Carberry had been heard of, was obviously regarded as hopeless. Catherine de Medici was only afraid that Elizabeth would use the opportunity to weave a new strand in the Anglo-Scotch Alliance, and determined to be beforehand with her. Without waiting to see how far her alarms would be verified, she sent for the Earl of Murray, who was then in Paris, to persuade or bribe him into consenting that the Prince should be sent over to her; while M.

de Villeroi was despatched to Scotland to come to an understanding with the Confederate Lords. The Queen Mother explained her views to De Villeroi himself with the utmost distinctness, and she left him free to take such measures in connection with Du Croc as should seem most expedient upon the spot.

She was very sorry for the Queen of Scots, Catherine said, and would gladly have been of use to her had it been possible; but the interests of France were first to be thought of. The Queen of Scots was herself the cause of all her misfortunes, and, as God was just, it was likely enough that the Lords would bring the enterprise which they had taken in hand to some result which the world would not be able to find severe fault with.¹ The English, in pursuit of their own purposes, would undoubtedly support them, if they were not already encouraging them underhand. It was essential to supersede the English: it was essential to France to preserve the attachment of the Scotch people; and that attachment could not and would not be preserved if the Lords supposed that France intended to interfere with them. The Lords must be assured that the Most Christian King would stand by them in promoting anything which would be to the advantage of the realm. The King wished well to the Queen, but he did not mean to thwart them in her behalf when they were but doing what was reasonable and just. He hoped only that without violating these principles, some means might be found of reconciling his sister-in-law with her subjects.²

In the commission of De Villeroi Catherine thus

¹ "Et qu'il pourroit estre, comme Dieu est juste, que leurdiet entreprise viendroit a quelque effect dont le fondement ne seroit pas blasmé ne improuvé de tout le monde." — *Mémoire pour M. le Villeroi*: Teulet, Vol. II.

² Ibid.

accepted the exact position of the Confederate Lords themselves. The most unprincipled woman in Europe, except perhaps the Queen of Scots herself, confessed to a consciousness that in certain cases God insisted that justice should be done ; that it was useless to fight against him ; and that it was therefore most prudent to take the same side of the question.

Elizabeth saw differently both her interests and her obligations. Elizabeth, though she had given many provocations to the Catholic Powers, had as yet but little reason to complain of their conduct to herself. Her ministers, acting in her name and not without her sanction, had supported the Huguenots in France with arms and money, and had fomented the growing disquiet in the Low Countries ; but the Protestant propagandism of Cecil had always been personally distasteful to half the Council, and in reluctantly acquiescing in his policy the Queen had defended herself behind political reasons which had a real existence, and which both France and Spain had not refused to recognise. The retaliatory schemes for a Catholic insurrection in England and Ireland had been so far uniformly discountenanced by Philip II. He had arrested the anathemas of successive Popes at the moment when they were about to be delivered ; and Elizabeth, whose conceptions of the royal prerogative strengthened as she grew older, believed it necessary to her own security, as unquestionably it harmonized with her own feelings, to practise a corresponding forbearance.

Her desertion of the Earl of Murray at the time of the Darnley marriage had not been wholly cowardice. The insurrection had been encouraged by Cecil and Bedford against her own judgment. It failed for want of the support which, at the last moment, she refused

to give, and in disowning Murray she had but asserted in public what from the first had been her private opinion.

In entire opposition to those who would have persuaded her now to retrace her steps, and to
July. use the present opportunity for reviving her influence in Scotland, she chose a course which Catherine de Medici would herself have dictated, had she been asked in what way Elizabeth could most effectually play into her hands. On first hearing that the Lords were about to take arms, she had expressed some kind of hesitating approval. Their movements were avowedly directed rather against Bothwell than the Queen; and for the Queen's own interests she was eager to see her separated from the man who, as long as he remained at her side, implicated her in the world's eye in his own crimes: her relationship with Darnley entitled her to demand that Bothwell should not be allowed to go unpunished; and as the Prince's kinswoman, she might fairly desire to protect him from his father's murderer.

But even so, she had refused to sanction an armed movement against Mary herself; and when she learned that, without consulting her pleasure further, they had captured their sovereign in the field, and were holding her prisoner at Lochleven, she saw only a precedent of disobedience which her own Catholic subjects might imitate against herself.

Cecil, Bacon, Bedford, Mildmay, Knollys, all those members of her Council who were on the side of the Reformation, saw in what had befallen the Queen of Scots the natural and providential consequences of her own crimes. Elizabeth felt an instinctive prescience of the hard judgment of posterity upon herself; she

feared, if she looked on, that she would be suspected of indulging a jealous dislike of a dangerous rival ; and she dreaded, on the other hand, the recoil upon herself of the example of a successful revolt. "Two special causes move her Majesty," so Cecil writes, describing Elizabeth's feelings ; "one that she be not thought to the world partial against the Queen ; the other, that by this example none of her own be encouraged."¹ Leicester relating, doubtless, the language which he heard daily from her own lips, wrote at the same time, "that however wicked a sovereign, the subject's duty was to obey : the wicked sovereign being sent by Heaven as much as the good ; the one for the happiness of the subject, the other as their scourge."²

On two points Elizabeth was at once decided : first, that Mary Stuart should be instantly restored to liberty and to her sovereign state ; secondly, that in the

¹ Cecil to Throgmorton, August 11: *Conway MSS.*

² "There is no persuading the Queen Majesty," Leicester continues, "to disguise or use policy, for she cannot but break out to all men her affection to this matter, and saith most earnestly she will become an utter enemy to that nation if that Queen perish. And for my part, though I must confess her acts to be loathsome and foul for any prince, yet is the punishment more unnatural, and in my conscience unjustly and without an authority done upon her — and surely will never prosper with the doers. I know not what wresting of Scripture may be used, but these rules we have plain for us in Scripture. In the Old law we have the example of David, who not to die would ever touch his anointed Sovereign, when he had him in his will and danger to do what he listed with him. In the New we have plain commandments to obey and love our princes, yea though they be evil — for God sendeth them not for us to punish at our will when they fault, but appointeth them to us if they be evil to plague us for our faults. The words be plain and the example true. I mean for my part with God's grace to keep it, and I am heartily sorry that those there do no better follow it. For what doth the world say, but subjects having gotten their prince into their hands, for fear of their own estates and for ambition to rule, depose their sovereign and make them themselves by a colour the head governours. Well, well, though she have been very evil some ways, yet is she overhardly recompensed." — Leicester to Throgmorton, August 6: *MSS.* Ibid.

prosecution for the murder of Darnley, Mary Stuart should herself escape accusation, and that means should be taken to cover her reputation. Having formed this resolution, her next step was to write to the Queen of Scots herself; and as she was going to act towards her with so substantial kindness, she seized the opportunity to add another sisterly admonition.

When the Bishop of Dunblane was sent to Paris to announce the Queen's marriage with Bothwell, Sir Robert Melville came to London on the same errand. Elizabeth had as yet taken no notice of the communication. "Madam," she now wrote, "it hath been always held for a special principle in friendship that prosperity provideth, but adversity proveth friends; whereof at this time finding occasion to verify the same with our actions, we have thought meet, both for our professions and your comfort, in these few words to testify our friendship, not only by admonishing you of the worst, but also to comfort you for the best." "We have understood by Robert Melville such things as you gave him in charge to declare on your behalf concerning your estate, and specially of as much as could be said for the allowance of your marriage. Madam, to be plain with you, our grief hath not been small, that in this your marriage so slender consideration hath been had, that as we perceive manifestly, no good friend you have in the whole world can like thereof: and if we should otherwise write or say we should abuse you; for how could a worse choice be made for your honour, than in great haste to marry such a subject, who besides other notorious lacks, public fame hath charged with the murder of your late husband, — besides the touching of yourself also in some part, though we trust in that behalf falsely. And with

what peril have you married him that hath another wife alive, whereby neither by God's law nor man's yourself can be his lawful wife, nor any children betwixt you legitimate! Thus you see plainly what we think of the marriage, whereof we are heartily sorry that we can conceive no better, what colourable reason soever we have heard of your servant to induce us thereto. We wish, upon the death of your husband, the first care had been to have searched out and punished the murderers; which having been done effectually — as easily it might have been in a matter so notorious — there might have been many more things tolerated better in your marriage than that now can be suffered to be spoken of. And surely we cannot but for friendship to yourself, besides the natural instinct that we have of blood to your late husband, profess ourselves earnestly bent to do anything in our power to procure the due punishment of that murder against any subject that you have, how dear soever you hold him; and next thereto, to be careful how your son the Prince may be preserved, for the comfort of you and your realm; which two things we have from the beginning always taken to heart, and therein do mean to continue; and would be very sorry but you should allow us therein, what dangerous persuasions soever be made to you for the contrary.

“Now for your comfort in such adversity as we have heard you should be in — whereof we cannot tell what to think to be true — we assure you, that whatsoever we can imagine meet to be for your honour and safety that shall lie in our power, we will perform the same; that it shall well appear you have a good neighbour, a dear sister, a faithful friend; and so shall you undoubtedly always find us and prove us to be

indeed towards you ; for which purpose we are determined to send with all speed one of our trusty servants, not only to understand your state, but also, thereupon so to deal with your nobility and people, as they shall find you not to lack our friendship and power for the preservation of your honour and greatness." ¹

It would seem, from the tone of this letter, as if the details of the Queen of Scots' misadventures were as yet but vaguely known in London. Elizabeth appeared only to understand that the Queen of Scots was on bad terms with her subjects, and had met with some large disaster. In the same spirit, and by the same messenger, she wrote to the Lords.

She never clearly remembered that the Scotch nobility were not her own subjects. She addressed them habitually in the language of authority, and on the present occasion took on herself to dictate, as if she was their Lady Paramount, the line of conduct which she expected them to pursue.

First she required the evidence of Bothwell's guilt to be laid out distinctly before her, that "she might be induced to believe the same by all probable means." He might then be divorced from the Queen of Scots, and be punished with his accomplices. His castles she desired to see be placed in the hands of "neutral noblemen," who should bind themselves to admit no French or Spanish troops into Scotland ; and the Queen should for the future be assisted in the administration by a Council, to be chosen by the Parliament of Scotland. Elizabeth said that she expected the Act for the establishment of the Protestant religion to be at length formally ratified ; and the constitution so

¹ Elizabeth to the Queen of Scots, June 23: *MSS. Scotlan^d, Rolls House.*

established would then be upheld and guaranteed by the English Government.¹

Thus having arranged all things to her own satisfaction, she chose Sir Nicholas Throgmorton, the strongest supporter in the Court of Mary Stuart's claims on the English succession, to carry down her pleasure to the Confederate noblemen. That he would be permitted to see Mary Stuart was assumed as a matter of course. Elizabeth believed that she had but to express her pleasure as to the settlement of the State to be immediately obeyed; and still more satisfied with herself and her good intentions, she thought proper to accompany the execution of them with a second and stronger admonition to the Queen of Scots, on the magnitude of her recent offences.

"Her fame and honour," she said, "had been in all parts of Christendom impaired and decayed;" her husband had been horribly murdered, almost in her presence, and the perpetrators of the crime were going at large unpunished and unsought after. "She had favoured and maintained the Earl of Bothwell, a man of infamous life, and notoriously charged by all the world as the principal assassin. She had assisted him in procuring a divorce such as was never heard of; that a man guilty should for his own offence put away his innocent wife, and that to be coloured by form of law;" and finally, "she had brought mortal reproof upon herself, by taking that defamed person to be her husband."

¹ Notes for the government of Scotland for Sir N. Throgmorton, July, 1567: *MSS. Scotland, Rolls House*. At the foot of the page Cecil wrote the following most significant note:—

"Athaliah Regina intercepta per Joash regem."

Meaning perhaps, that if Mary Stuart was continued on the throne, she would destroy the Prince if she could; and if the Prince was saved from her, he in turn might revenge on her his father's death.

"These doings," Elizabeth continued, "had been so shocking, that she had never thought to have dealt more with the Queen of Scots in the way of advice," "taking her by her acts to be a person desperate to recover her honour." She had not been alone in her ill opinion of her. "Other princes, the Queen of Scots' friends and near kinsfolk, were of like judgment." Her capture and imprisonment, however, had "stirred a new alteration and passion of her mind." She "felt her stomach provoked to an inward commiseration of her sister;" nor "could she suffer her, being by God's ordinance a Princess and Sovereign, to be in subjection to those who by nature and law were subject to her." She intended to interfere in her favour, and "to do as much for her (the circumstances of her case being considered) as if she was her natural sister or only daughter." The Queen of Scots must tell Throgmorton the whole truth, "that her subjects might be reprehended for things unduly laid to her charge." "Where her faults could not be avoided or well covered, the dealing therein should be so used and tempered as her honour might be stayed from ruin, and her state recovered to some better accord." If her subjects would not consent to make arrangements with her, "she should not lack English aid to compel them thereto."

So much for the message to the Queen, whom, at the same time, Elizabeth recommended "to use wisdom and not passion in her adversity;" and to remember that her own faults had brought her to the trouble in which she found herself

To the Lords she assumed the power and the language of supreme feudal arbiter. She directed Throgmorton to tell them that "she neither would nor could

endure, for any respect, to have their Queen and Sovereign to be by them imprisoned, or deprived of her state, or put in peril of her person." Subjects had no right to take upon themselves to reform the faults of princes; they might seek the amendment of their Queen's faults by counsel and humble requests; if they did not succeed, they "should remit themselves to Almighty God, in whose hands only princes' hearts remained." For "doing justice upon the murderers," she believed the Queen of Scots would consent to it. If she refused, the Lords could do no more: but Elizabeth conceived "that some power existed in herself, and that for the punishment of horrible and abominable facts, one prince and neighbour might use compulsion with another."

Finally, she impressed on Throgmorton himself the desirableness of bringing the Prince to England. He would then be out of personal danger, "and many good things might ensue to him of no small moment;" that is to say, the road would be opened to him towards the succession. "She meant truly and well to the child;" and while she cautioned Throgmorton to be wary in approaching so ticklish a subject, she said at the same time, "that of all matters by him to be compassed, she would most esteem of his success in this."¹

¹ Instructions to Sir N. Throgmorton, June 30: *MSS. Scotland, Rolls House*. From the commencement of the disturbances both France and England had been making overtures to get possession of the Prince. De Silva writes on the 21st of June to Philip:—

"Tienen al Principe en mucha guarda. El Embajador que esta en aquel Reyno por el Rey de Francia ha hecho gran instancia para haberle, como tengo escrito por todas las vias que he podido — prometiendo á los Señores y á otros de parte de su Rey pensiones y otras dadivas por cartas del Rey. Resolutamente le han respondido que no se le quieren dar . . . y á los que se le pedian de parte desta Reyna, que tenían en mucho el cuidado que

In the policy which she was pursuing Elizabeth may have consulted wisely for her own reputation ; but her attitude of naughty dictation was the last which she ought to have assumed, if she desired Scotch statesmen to be guided by her wishes. The tone of semi-command was certain to irritate the national sensitiveness ; nor had she understood the extraordinary complication of Scotch parties and interests.

In the hatred of Bothwell the Lords of all creeds and parties had been unanimous. Glencairn, Mar, and Lindsay among the Protestants, Caithness and Athol among the Catholics, had been unconnected from the first with the intrigue for Darnley's murder, and were sincere in their horror of it. Argyle, Huntly, Maitland, and Sir James Balfour, who had been parties with Bothwell to the bond at Craigmillar, were equally indignant at his relations with the Queen, and equally determined to separate him from her.

No sooner, however, was Mary Stuart at Lochleven than private feuds, and political divisions and sympathies, split and rent the Confederacy in all directions. Some had French sympathies ; some were for the old religion, and some were for the new. After the Queen and the Prince, the next place in the succession was disputed between the House of Hamilton and the House of Lennox. If the Queen was deposed, the Regency, in the Prince's minority, would go by the custom of Scotland to the nobleman next in blood to

mostraba de la seguridad de su vida, pero que no querian que el niño saliese ni se criase fuera de aquel reyno." — *MS. Simancas.*

On the 13th of July, Cecil wrote to Sir H. Sidney : —

"We are in secret contention with the French who shall get the Prince of Scotland. They fish with hooks of gold, and we but with speech. Sir N. Throgmorton is in Scotland about these matters." — *MSS. Ireland, Rolls House.*

the Crown. The Queen, by her marriage with Darnley, had estranged the Hamiltons. The Hamiltons, in return, had been parties to the murder, and had encouraged afterwards the marriage of the Queen with Bothwell, simply in the hope that she, too, would be ruined, the Prince probably murdered also, and the throne of Scotland become theirs.

On the other hand, the Protestants, and the friends of England and of the House of Lennox, were opposed equally to the claims of a family who were half Papist and half French. A fortnight after Carberry Hill, Sir William Drury wrote that already the question was asked of every man, "Was he a Hamilton or a Stuart." "The Hamiltons could not digest that the Prince should be at the devotion of England;" and there was a strong anti-English faction at their back: while Morton, Athol, Ruthven, and Mar were utterly opposed to them; if the Prince died, these noblemen would have the crown go to Darnley's younger brother; and Drury "thought it would prove hard for Scotland to nourish both families."¹

And, again, the difficulties were scarcely less in making a fair enquiry into the circumstances of the murder. The world demanded an investigation; yet if the investigation was more than a form, the names of four or five of the most powerful men in the country could hardly fail to be compromised. Sir James Balfour made no secret of his own share in the crime. He, too, like the rest, was furious at having been taken in by Bothwell and the Queen; and he earned his own pardon by surrendering Edinburgh Castle to the Lords, and by a frank confession of all that he knew. "The Queen," he said, "one day sent for him, and

¹ Drury to Cecil, June 29, and July 1: *MSS. Border.*

after a few flattering words expressing the confidence which she placed in him, said that she could never forgive the King for his ingratitude, and for the death of David Ritzio; he had become so hateful to her that she could not bear the sight of him; she wished to have him killed, and she desired Balfour's assistance." Balfour, according to his own story, had replied, "that in any other matter he would gladly serve her, but that to kill a king was more than he dared." The Queen said that with her sanction he might do it; she was his sovereign, and he was bound to obey her. He again declined, and then she said he was a coward, and if he betrayed her confidence it should cost him his life.¹ This account fell in but too well with what was already known; but the Lords, bad and good, working together for their several ends, were obliged to shield those who, like Balfour, were ready to desert to them; and it was no less necessary to conceal the evidence which implicated Argyle and Huntly.

An open and candid exposure of the whole truth — such an exposure as would have satisfied the demands of Elizabeth, or have acquitted the Confederates before the bar of posterity for their treatment of their own sovereign — was believed to be impossible.

¹ The Catholic correspondent of De Silva is the authority for Sir James Balfour's confession. The exact words are worth preserving.

"El qual declaró que la Reyna le habia mandado llamar un día aparte, y le habia dicho despues de haber encarecido la confianza que del tenia, que ella estaba muy indignada del Rey por la muerte del secretario David, y por la gran ingratitude que con ella habia usado; y assi le tenia tan aborrecido que no podia verle, y estaba determinado de le hacer matar, y que lo queria executar por su mano, y le pedia y mandaba se encargase dello. A lo qual el habia respondido que en cualquiera otra cosa le serviria como era obligado, mas que en esto no lo podia hacer por ser su marido tenido y publico por Rey. E que le habia replicado que el lo debía y podia hacer por su mandado, que era su Reyna natural; y que escusandose otra vez, le habia dicho que lo dexaba de hacer de cobarde y no por otro respeto, y que le mandaba su pena, de muerte que no descubriese á nadie lo que le habia dicho." — De Silva to Philip, September 6: *MS. Simancas*.

Meanwhile the body of the people, untroubled by difficulties of this kind, yet made unjust too on their side by the violence of religious fanaticism, had fastened the guilt exclusively on Mary Stuart. They had learnt from Knox that Papistry was synonymous with devil-worship. The Queen, long hateful to them as the maintainer of Romish enormities, had now, like another Jezebel, shown herself in her true colours; and as she had been a signal example of the moral fruits of her creed, so they desired to make her as signally an example in her punishment.

No sooner had she been despatched to Lochleven, than Glencairn, with a party of Calvinist
June.

Catholic ornaments, melting down the chalices, and grinding the crucifixes to powder; while the alleys and wynds of Edinburgh were searched from loft to cellar, and such servants of the palace or followers of Bothwell as were found lurking there were seized and brought to trial. Sebastian, whose marriage on the night of the murder had been the excuse for the Queen's departure from the house at Kirk-a-Field, was one of the first to be taken, and it is to the credit of his examiners, considering the temper of the times, that he was acquitted. Blackadder, it has been seen, was convicted, hanged, and quartered in a few hours. Powrie and Patrick Wilson were examined under torture.¹ They confessed to their own share in the murder, and were reserved — probably because they knew no dangerous secrets — to keep their evidence available. On the 20th of June Sir James Balfour placed in the

¹ "The Council order the said persons to be put in the irons and torments for furthering of the trial of the verity, provided always that this cause, being for a Prince's murder, be not taken as a precedent in other cases. — Sitting of the Lords of Secret Council, June 27: Keith.

hands of the Confederates a body of documents, which for the first time revealed to many of them the inner history of the whole transaction. The Earl of Bothwell, on leaving Edinburgh for the Borders, had left in Balfour's hands the celebrated casket which contained the Queen's letters to himself, some love sonnets, the bond signed at Seton before his trial, and another, probably that which was drawn at Craigmillar after the Queen's illness. The casket itself was a silver enamelled box, one of the treasures which Mary Stuart had brought with her from France. She had bestowed it upon her lover, and her lover in return had made use of it to preserve the proofs that he had been acting in the murder only as the instrument of his mistress, and with the authority of half her council.¹ Being of infinite importance to him, he sent Dalgleish, one of his servants, from Dunbar after his flight from Carberry Hill, to fetch it. Balfour gave it to Dalgleish, but sent private word to the Confederates, who captured both the prize and its bearer.

That the Queen had in some way and to some degree been a party to the murder was already evident to all the world, except perhaps to Elizabeth. But her relations with Bothwell, the terms on which she had placed herself with him while she was still encumbered with a husband; the treachery, for which "infernal" is not too hard an epithet, with which she had enticed him to the scene of his destruction; and the secret history of her capture at the Bridge, though conjectured too accurately by popular suspicion, had

¹ That some casket was discovered cannot be denied by the most sanguine defender of the Queen of Scots, for it was admitted by her own advocate. The only point on which a question can be raised, is the exact nature of its contents. — See the Statement of Lord Herries, Keith, Vol. I. p. 683, note.

not as yet been distinctly known, and the profits of them laid out in deadly clearness acted on the heated passions of the Lords like oil on fire.

Even unscrupulous politicians like Maitland, who had seen no sin in ridding the world of a vindictive unmanageable boy, might feel anger, might feel in a sense legitimate indignation, when they perceived the villany to which they had lent themselves. They might have experienced too some fear as well as some compunction, if, as Lord Herries said, the casket contained the Craigmillar bond, to which their names remained affixed. This at least it was necessary to keep secret, and uncertain what to do they sent one of their number in haste to Paris to the Earl of Murray to inform him of the discovery of the letters, and to entreat him to hurry back immediately.¹

¹ The theory that the letters were forged in the later maturity of the conspiracy against the Queen falls asunder before the proof that the contents of the most important of them were known to Murray before he left France. If forged, therefore, the letters must have been forged in the first heat and confusion of the revolution—at a time when the Confederates were endeavouring if possible to screen the Queen's reputation, if she could be induced to abandon Bothwell. On his way through London at the end of July, Murray saw the Spanish Ambassador; and De Silva, who had the fullest confidence in Murray's integrity, gave the following account to Philip of the conversation which had passed between them:—

“Se vino á declarar mas, diciendo me que por la voluntad que le habia mostrado, me queria decir lo que no habia querido comunicar á esta Reyna, aunque ella le habia dado algunas puntadas en ello, pero de lejos. Era que el tenia por gran dificultad que se pudiese concertar este negocio, porque era cierto que la Reyna habia sabidora de la muerte de su marido; de que el estaba muy penado; y que se habia sabido sin duda por una carta de la Reyna scripta á Bothwell, demas de tres pliegos de papel, toda en su propria mano y firmada de su nombre. En la qual escribia en sustancia que no tardase en poner en execution lo que tenian ordinado, porque su marido le decia tantas buenas palabras por engañarle y traerle á su voluntad, que podria ser que la moviese á ello; sino se haria lo demas con presteza, y que ella misma iria á traerle, y vendrian á una casa en el camino, á donde procuraria se le diese algun bevediza; y que si esto no pudiese hacerse le pondria en la casa á donde estaba ordenado lo del fuego para la noche que se habia de casar un criado suyo, como se hizo. Y que el se procurase de

John Knox, who had been absent from Scotland since the death of Ritzio, and had been half inclined to abandon his poor country altogether and return to Geneva and Calvin, came back at this crisis to resume the command of the Church, and the General Assembly met at Edinburgh on the 25th of June. Châtellerauld was at Paris, paying his court to Charles and Catherine. The Archbishop of St. Andrew's, Lord Arbroath, Argyle, Huntly, Crawford, Herries, Seton, Fleming — all those who preferred the French alliance to the English — were assembled at Hamilton Castle watching the proceedings of the other party. As the best hope of a peaceful solution of the difficulties in which they found themselves, the Confederates invited these noblemen to join them at Edinburgh in a General Convention. The request was declined, but not so declined as to leave no hope that it might be accepted on certain conditions. It was understood that the support of the Hamiltons would be given freely to the party who had imprisoned the Queen, if the succession to the Regency were determined in their favour.

Such was the condition of parties, humours, and dispositions in Scotland which Elizabeth had sent Throgmorton to command and control. Some intelligent intimation of the confusion which he was to find there had been already sent to Cecil by

desembaraçar de su muger, apartandose della ó dandole alguna bebida con que muriese, pues sabia que ella por el se habia puesto en aventura de perder su honra y Reyno y lo que tenia en Francia y á Dios, contentandose con su sola persona. Y que demas desto, habia hecho otro estraño y no visto trato la noche de la muerte que habia sido el dar una sortiza á su marido, habiendole hecho muchos amores y regalos teniendole tratado la muerte, que habia sido aun peor que lo demas que se diria; y que lo de la carta lo sabia de quien le habia visto y leydo; y lo demas era notorio, de que el estaba lastimadissimo por el honor de la casa de su padre." — *De Silva to Philip, August 2: MS. Simancas.*

Maitland. It was important to make England feel that France was ready and willing to take the Lords under its protection on the Lords' own terms. For himself, Maitland said, the English alliance had always appeared most beneficial to Scotland, and he preferred even in the present emergency to work in harmony with the English Court. M. de Villeroy, however, had come over with such warm and liberal offers from the King of France, that if Elizabeth refused to support them, if Elizabeth interfered between them and the Queen, they would be compelled to close with the French proposals. De Villeroy would otherwise throw himself upon the Hamiltons, and there would be a civil war.¹

Throgmorton had started before Maitland's letter arrived, but it produced no effect upon Elizabeth. She had provided means, as she supposed, to parry the danger from France; for if the Confederate Lords refused to release Mary Stuart, Throgmorton, too, was directed to address himself to the Hamiltons. The threatened civil war was not, in Elizabeth's opinion, too dear a price for her cousin's liberty. She was prepared to take part with the pretensions of the family which had been the unvarying opponents of England, if they on their side would join with her in the procuring the release of the Queen, and Charles might support, if he pleased, the Protestant noblemen in oppressing his own kinswoman.

In the hope that if she had time to think Elizabeth would not persist in so extraordinary a policy, Throgmorton lingered on the road. He stopped at Gorham-bury to talk to Bacon; he was ten days in reaching Berwick; while Elizabeth was counting the hours

¹ Maitland to Cecil, July 1: *MSS. Scotland, Rolls House.*

which would have to pass before he could reach Edinburgh, and sent message after message to him to make haste.

Bacon, Cecil, and Leicester alike deplored the determination into which she had settled herself. The highest interests of England were being sacrificed for the sake of one bad woman; but their opinions and their remonstrances were alike disregarded. Leicester had to tell Throgmorton, in a passage which he underlined, "that he did not see any possibility that the Queen's Majesty could be won to deal as she should or would do, if the Queen of Scots were not in personal danger;"¹ and Throgmorton, on whom the truth of the situation forced itself more and more clearly as he approached Scotland, could but reply, "that he was very sorry that the Queen's Majesty's disposition altered not towards the Lords; for, when all was done, it was they which would stand her in more stead than the Queen her cousin, and would be better instruments to work some benefit and quiet to her Majesty and the realm than the Queen of Scotland, who was void of good fame."²

Thus reluctantly he was driven forward on his unpromising mission. He had left London on the 1st of July; on the 12th he was at Fast Castle, where Maitland and Hume met him, and confirmed his misgivings of the probable effect of his message. They said, briefly, that they had no kind of trust in Elizabeth. In all her transactions with them she had considered no interests but her own. She was still playing her old game; and if they "ran her fortune," and allowed her to direct them in their present condition, they wel-

¹ Leicester to Throgmorton, July 8: *Conway MSS.*

² Throgmorton to Cecil, July 11: *MS. Ibid.*

knew "she would leave them in the briars." Throgmorton spoke of the siege of Leith. They replied that in expelling the French she had been consulting her own safety not theirs; "and upon other accidents which had chanced since, they had observed such things in her Majesty's doings as had tended to the danger of such as she had dealt withal, to the overthrow of her own designments, and little to the satisfaction of any party." As to her present message, Maitland said, with a smile, that she had better leave them to themselves. The French "were ready to deliver them of their Queen for ever, to end her life in France, in an abbey reclused;" the French would protect the Prince, and protect the Confederate noblemen from Elizabeth, or from anyone; and they themselves intended either to close with their proposals, or else "do what they thought meet for their state and country, and use their remedies as occasion should move them." Throgmorton asked whether he could see the Queen. They replied that it was highly unlikely. The French Ambassador had been refused, and they would not offend their friends in Paris, by showing favours to the minister of Elizabeth which had been withheld from Du Croc, unless Elizabeth would pay a higher price for their preference than she seemed inclined to pay. As to setting the Queen at liberty, "it was but folly" to speak of such a thing. If the Queen of England insisted upon this, it could only be because "she meant their undoing."¹

At Edinburgh Sir Nicholas found the same humour, or a humour, if possible, more unfavourable to England. He did not think Mary Stuart to be in present personal danger. She was closely guarded, but her

¹ Throgmorton to Cecil, July 12: *Conway MSS.*

health was reported to be good ; and, so far as he could learn, there appeared to be no intention either of publishing her guilt or of touching her life. She might be released, he was told, if she would make up her mind to give up Bothwell ; but she continued obstinate ; “ she avowed constantly that she would live and die with him ; ” “ if it were put to her choice whether she would relinquish crown and kingdom or the Lord Bothwell, she would rather leave her kingdom and dignity to live as a simple damsel with him ; and she would never consent that he should fare worse or have more harm than herself.” ¹

So long as this mood continued, neither the persuasions nor threats of England should unlock the gates of Lochleven Castle. But, so far as Throgmorton could learn, the purpose of the Confederate noblemen ended in her confinement, and if they were left to themselves they did not mean to hurt her.

The Clergy and Commons, however, were in a less gentle temper. The General Assembly had been prorogued after a short session, but was to reopen on the 20th of July. It was understood that Mary Stuart's deposition, if not her death, would then be fiercely demanded ; and “ the chiefest of the Lords durst not show her as much lenity as they would,” in fear of the people. “ The women were most furious and impudent against her ; yet the men were mad enough.” And the Queen's peril was aggravated by the peculiar infamy of the Hamiltons, who in form and outwardly were pretending to be on her side ; but rather “ because they would have the Lords destroy her, in fear that otherwise she might be recovered from them by violence.” The Queen once dead, the only consider-

¹ Throgmorton to Elizabeth, July 14: *MSS. Scotland.*

able obstacle would be removed which stood between them and the crown.¹ Treachery so profound might have seemed incredible; but it was in harmony with all their previous conduct, and it was brought to a point and openly avowed immediately after.

The danger was greater and more immediate than Throgmorton supposed. The mission and message of De Villeroy had conclusively satisfied the Confederates that they had nothing to fear from France. He had told them, that if the Queen were sent to Paris, she would be taken care of there, and should trouble them no further. They would have consented, but for the reflection that "time would help to cancel her disgrace;" and that "she might be an instrument at some future time to work new unquietness." De Villeroy carried back their refusal; but no resentment followed, and no change of tone. Catherine de Medici, so far from taking offence, sent a second minister, M. de Lignerolles, a gentleman of her household, with a mission precisely similar. De Lignerolles was ordered to reconcile the Hamiltons and the Confederate noblemen; to do something for the Queen if possible, but chiefly and especially to draw Scotland nearer to France; to assure all parties that France desired merely the well-being of their country, and was ready to support them in any measure which they considered necessary. In other words, that they might do what they pleased, provided they would renounce England, and reattach themselves to their old allies.²

Thus, day after day, it grew more likely that the Lords would take the brief sure way with Mary Stuart, and the tone taken by Elizabeth only increased her

¹ Throgmorton to Elizabeth, July 14: *MSS. Scotland*.

² Instructions to M. de Lignerolles: Teulet, Vol. II.

danger. Throgmorton had not been idle. He had found means to communicate with her. He had urged her to consent to the single condition under which he could hope to interfere for her successfully, but he found her as obstinate as others had found her. "She would by no means yield to abandon Bothwell as her husband, but would rather die." She believed, or affected to believe, that she was with child; but a situation which suspends the execution of an ordinary criminal, only tended to precipitate the fate of the Queen of Scotland, and the prospect of issue from so detestable a marriage "hardened the Lords to greater severity against her."

Both John Knox and his fellow-minister Craig agreed in advocating the execution. "They were furnished with many arguments, some from Scripture, some from histories, some grounded, as they said, upon the laws of the realm." "The Commons convened at the Assembly did mind manifestly the Queen's destruction;" and "it was a public speech among all people, and among all estates, that the Queen had no more liberty to commit murder nor adultery than any other private person."¹

The unhappy woman, alarmed at last at the fate which appeared so near her, made an effort to save herself. Subdued, or half subdued, and obstinate only in her love for Bothwell, she begged that they would remember, at least, that she was her father's daughter, and their Prince's mother. If it would save her life, she said that she would make over the government either to her brother or to a Council of the Lords, or to any person or persons they might be pleased to name.

¹ Throgmorton to Elizabeth, July 18; Throgmorton to Cecil, July 18, July 18: *MSS. Scotland*.

But it was not likely to avail her. "The preachers were of one mind" that she should be put to death. The more moderate among the noblemen "durst not speak for her, to avoid the fury of the people." Murray himself, detained at Paris, sent over his friend Mr. Elphinstone to intercede, but seemingly without effect. "The people were greatly animated against her." The Confederates "were too far over the stream to leave themselves unprovided for;" and "the common voice declared, that it should not lie in the power of any within the realm, or without, to keep her from condign punishment for her notorious crimes."¹

Unhappily, the hands which would have executed this high act of justice were themselves impure. Those who talked the loudest of the guilt of murder, had felt no horror at the murder of Ritzio; and even with Knox himself, and with his iron-hearted congregation, the rage against the Queen was but partly due to her moral iniquities. They, too, were men of no very tender nerves; and had Darnley proved the useful Catholic which the Queen intended him to be, they would have sent him to his account with as small compunction as Jael sent the Canaanite captain, or they would have blessed the arm that did it with as much eloquence as Deborah.

So far as Throgmorton could judge, there were four possibilities. Maitland, who had the merit of remembering his own share in Darnley's death, proposed that the Queen should be released and restored to a titular sovereignty. The power could be vested wholly in a Council, and her hands tied so that she could do no harm. Legal securities could be taken for the establishment of the Protestant religion; the Prince could

¹ MSS. Scotland.

be conveyed to some safe place, either France or England, as convenience might dictate; and Bothwell be taken, divorced, and executed. Morton and Athol preferred shaking off the Queen, and making arrangements for her confinement for life in England, if Elizabeth would consent to take charge of her. The Prince should be crowned, and Scotland governed by the Lords.

But neither of these opinions found general favour. The mass of the people, ignorant of the secret history of the murder, insisted that the Queen should be publicly tried, and if found guilty should either remain a prisoner among themselves, where she could give no more trouble, or else be put to death.

Of these alternatives the second was most likely to be preferred, "for they dreaded mutation among themselves, the commiseration of foreign Princes, and likewise that in time the Scots themselves would have compassion for her." Throgmorton interceded, argued, protested. Subjects, he said, could not sit in judgment on their sovereign. If they executed her, "they would wipe away her infamy," and "turn upon themselves the indignation of the world." But the fierce rhetoric of Knox, with the bloody annals of the chosen people for his text, tore to shreds these feeble considerations. The English minister was told that "in extraordinary enormities and monstrous doings there had been and must be extraordinary proceedings. New offences did in all States occasion new laws and new punishments." "Surely," said Maitland to him with bitter truth, "the Queen of England has taken an ill way to have us at her devotion. The Earl of Murray found cold relief and small favour at her hand, and now she has sent here to procure our Queen's liberty.

I would I had been banished my country for seven years on condition the Queen your mistress had dealt liberally and friendly with us. However the case fall out we shall find little favour at her hands more than fair words.”¹

“I pray you advise,” Throgmorton privately wrote to Cecil, “I pray you advise what is best; and so as the Queen being dead either in body or estate, this Prince and country come not in the French devotion to one camp. If her Majesty do not in time win these Lords and recover her crased credit among them before they have ended these matters without her advice, I see they will take a course little to our advantage.”²

It seemed as if, overborne by the storm, and by the hopelessness of the situation, the English Ambassador now gave up the Queen for lost, and was turning his thoughts and his efforts to preserving the alliance between England and Scotland. Even this would be no easy matter, so exasperated were the Scots at the tone which Elizabeth had assumed to them. “Il perde le jeu qui laisse la partie,” said Maitland to him in another conversation: “to my great grief I speak it, the Queen my Sovereign may not be abydin among us, and this is no time to do her good if she be ordained to have any. Therefore take heed that the Queen your mistress do not lose the good-will of this company irreparably. I assure you if the Queen’s Majesty deal not otherwise than she doth you will lose all, and it shall not lie in the power of your wellwillers to help it no more than it doth in our power now to help the Queen our Sovereign.”³

¹ Throgmorton to Cecil, July 19: Keith.

² Same to the same, MSS. Scotland, Rolls House.

³ Throgmorton to Elizabeth, July 21: MSS. Scotland.

Mary Stuart's sun was now at the point of setting. The people well knew her nature, and among the passions which were distracting them, the fear which is the mother of cruelty was not the least powerful. In their eyes the gentle sufferer of modern sentimentalism was a trapped wild cat, who if the cage was opened would fix claw and fang into their throats. On the 21st of July, at a meeting of the Council, the milder propositions of Maitland and Morton were definitively set aside. It was resolved to proceed immediately with the coronation of the Prince. If the Queen consented, — as when she first knew the extent of her danger she had promised to do, — her life would be spared, and her letters and the other evidences of her “infamy” would be withheld from public knowledge. If she refused, the truth in all its deformity would be laid before the world. In some form or other she would be brought to trial and as certainly condemned. Under no circumstances should she leave the realm; and “having gone so far,” “they would not think to find any safety so long as she was alive.” Mary Stuart herself looked for nothing but extremity. From a loop-hole in the round tower which was her prison in an angle of Lochleven Castle, she called to a child who was allowed to wander on the island, and bade him “tell her friends to pray to God for her soul — her body was now worth but little.”¹

John Knox, who, in theological language, expressed

¹ The Spanish Ambassador heard this from Elizabeth: — “La Reyna me había dicho que despues que la habían puesto en la torre con tanta estrechez y poca compania, que había visto por una ventanilla un muchacho que por ser de poca edad las guardas no tenían cuenta, y solia darle algunos avisos, y le había dicho que dixese á sus amigos que rogasen á Dios por el alma. que el cuerpo valia poco.” — De Silva al Rey, Julio 26: *MS Simancas*.

the conclusions of keen, cool, political sagacity, "did continue his severe exhortations against her, threatening the great plagues of God to the whole country and nation if she was spared from condign punishment."¹

Elizabeth's behaviour at this crisis was more creditable to her heart than to her understanding. She had only to remain neutral, and she would be delivered for ever from the rival who had troubled her peace from the hour of her accession, and while she lived would never cease to trouble her. There was no occasion for her to commit herself by upholding insurrection. The Scots were no subjects of hers, and she was not answerable for their conduct. The crime of Mary Stuart's execution — if crime it would be — would be theirs not hers; and if she did not interfere to prevent or revenge it, the ultimate effect would inevitably be to draw the bands closer between Scotland and England. Yet she forgot her interest; and her affection and her artifices vanished in resentment and pity. Her indignation as a sovereign was even less than her sorrow for a suffering sister. She did not hide from herself the Queen of Scots' faults — but she did not believe in the extent of them; they seemed as nothing beside the magnitude of her calamities, and she was prepared to encounter the worst political consequences rather than stand by and see her sacrificed.

"You may assure those Lords," she wrote in answer to Throgmorton's last letters, "that we do detest and abhor the murder committed upon our cousin the King; but the head cannot be subject to the foot, and we cannot recognise in them any right to call their

¹ Throgmorton to Elizabeth, July 21: *MSS. Scotland*.

Sovereign to account. You shall plainly tell them that if they determine anything to the deprivation of the Queen their Sovereign, we are well assured of our own determination that we will make ourselves a plain party against them to the revenge of their Sovereign for all posterity. As to the French alliance, it will grieve them in the end as much as it will injure England; and yet were it otherwise, we cannot, nor will for our particular profit at this time, be induced to consent to that which we cannot in conscience like or allow, but shall remit the consequences thereof to the good-will and favour of Almighty God, at whose hands we have found no lack in the doing or omitting anything whereunto our conscience has induced us.”¹ So she wrote to Scotland; and the Spanish Ambassador, who was suspicious enough generally of her motives, was satisfied that she meant what she said. If the Lords persevered, she told him, she would call on France to join with her in punishing them; if France refused, and gave them countenance, she would invite Philip to hold France in check, while she herself sent an English army to Scotland to set the Queen at liberty and replace her on her throne.² Yet she felt that her menaces might miss their effect, nay, perhaps, might produce, if she attempted to act upon them, the very thing which she most dreaded. She might revenge Mary Stuart’s death, but she would not prevent the Lords from killing her if she provoked them to extremities. And again, when it came to the point, the sending troops to Scotland on such an errand, against the opinion of half her Council, might involve an English revolution. Violently as she was affected, she

¹ Elizabeth to Throgmorton, July 27: *MSS. Scotland.*

² Elizabeth to De Silva, July 29: *MS. Simancas.*

could not hide the truth from herself, and, therefore, for the immediate purpose — saving Mary Stuart's life — she looked with much anxiety to the return of the Earl of Murray from France. On Murray's regard for his sister, and on Murray's power to protect her, she believed that she could rely. On his passage through London in April, whatever might have been his secret thoughts, he had breathed no word of blame against her. He had mentioned to De Silva the reports which were current in Scotland, but he had expressly said that he did not believe them. To Elizabeth "he never spoke one dishonourable word of her;" and in Elizabeth's opinion he "was so far from the consent of any confederacy against her, that she was certainly persuaded her sister had not so honourable and true a servant in Scotland."¹ De Silva expected him by name to Philip as the one Scottish nobleman whose behaviour in all the transactions which had followed the murder had been irreproachable.²

He had found no little difficulty in escaping from France. Catherine, who eight years before had tried to gain him, now renewed her overtures with increased earnestness, as more and more she knew that he was

¹ Heneage to Cecil, July 8: *MSS. Scotland*. So Leicester, writing to Throgmorton, says, "I have thought good to require you, if ye possibly may, to let that Queen understand, as I bear faith to God and my Prince, I never heard directly or indirectly any unreverend word from my Lord of Murray's mouth towards the Queen his Sovereign — but as dutifully and honourably as the best affected subject in the world ought and should speak of their Prince — which my testimony I would not give to abuse any one; neither is there any cause specially at this time that I should do so. But as I have always thought, so do I now verily believe, my Lord of Murray will show himself a most faithful servant and subject to her Majesty to adventure his life for her." — Leicester to Throgmorton, July 8: *Conceal MSS.*

² De Silva to Philip, July: *MS. Simancas*.

the only man whose integrity could be relied on, and who, as she hoped, had been divorced from his English sympathies by Elizabeth's ill usage of him. She offered him rank, pension, power, the Scotch Regency, even the Scotch Crown she would have offered him, if he would lend himself to French interests. He had answered simply that he could agree to nothing prejudicial to his sister and to his nephew. If the French Court would assist in saving the Queen he would be grateful for their help,¹ but he declined accepting power for himself. His personal injuries had not blinded him to the advantages of the English alliance to Scotland, and he met Catherine's advances so coldly that she invented pretences to detain him in Paris. She complained that "he had a right English heart."² She found him entirely unwilling to lend himself to the evil game which she was playing.

At last "by his discreet and wise answers he rid himself out of her hands,"³ and made his way to the sea. Still afraid of what might befall him, he durst not venture to cross in a French vessel, but had sent beforehand to Rye for an English fishing-boat.⁴ Once

¹ Alava to Philip, July 13: Teulet, Vol. V.

² Sir H. Norris to Cecil, July 23: *MSS. France*.

³ *Ibid.*

⁴ "The Earl of Murray finding himself in some discontentment by his long delay of the French King, as also in hazard of detaining by force, beside peril of his person by such as have grudged much his affection towards England, required my lord my master (Sir H. Norris) to assist him by some policy to escape secretly out of France; whereupon I was dispatched towards Dieppe to stay some English bark under some colour -- for my Lord of Murray will pass in no Frenchman -- and if I find not an Englishman, then to haste over to Rye to provide him with all diligence: where I am arrived this afternoon; and mean as soon as wind and tide serve, God willing, to repair towards Dieppe again, where a messenger attends my arrival to give knowledge to my Lord of Murray at the Court, whereby he may under assurance of this vessel determine and adventure his purpose."
— Thomas Jenyr to Cecil, July 13: *MSS. France*.

in England, his one object was to reach his own country with the least possible delay. He had formed no settled plan. He knew at last the full magnitude of his sister's guilt, for though he had not seen her letters to Bothwell, he had received an accurate description of the worst of them; yet he was determined to do his best for her, and, at the same time, to prevent his friends from breaking with England. It was necessary for him to pass again through London. Elizabeth sent for him, and spoke to him in a style which, had he been capable of resentment, might have tempted him to reconsider his intentions. He was obliged to tell her that his country had claims upon him, prior either to his sister's or her own.¹

He had again a long conversation with De Silva, and spoke more openly to him than he had cared to do to the Queen. De Silva expressed a hope that something might be done with his sister short of dethronement — something like that which had been proposed by Maitland, and accompanied with proper securities against further mischief from her. Murray required no pressing. Could Bothwell be caught and hanged, he thought such an arrangement not entirely out of the question, and both he and his friends would not, if they could help it, offend Elizabeth. De Silva, who understood thoroughly the entire truth, scarcely offered to advise under circumstances so extraordinary. Murray, however, he thought might do what no one else could do. The Lords would trust him as their friend, and the Queen as her brother. Murray answered that as De Silva had spoken so reasonably, he would

¹ "Notwithstanding so many practices, the Earl of Murray will continue a good Scotsman. The hard speeches used by her Majesty to him hath somewhat drawn him from the affection he was of to this realm." -- Bedford to Cecil, August 10: *Border MSS.*

be entirely frank with him. The difficulty of an arrangement had been infinitely increased by the discovery of the Queen's letters to Bothwell. They had revealed (and he related the substance of one of them) the most profound and horrible treachery. She had brought dishonour upon his father's house, and had made her restoration all but impossible. Her life, however, he had good hopes that he could save.¹

He impressed De Silva with the very highest opinion of his character, and he impressed no less favourably such of Elizabeth's Ministers as spoke with him. Sir Walter Mildmay, with whom he spent a night on his way down to Scotland, found him "very wise and still very well affected to the maintenance of friendship between the two realms;" "content to forget his own particular griefs," and shrinking only from the responsibilities which were waiting for him.²

Bedford, whom he saw at Berwick, found him "neither over pitiful nor over cruel;" inclined, at all events, to prevent the Queen from being put to death, but refusing to commit himself further — much, in fact, in Bedford's own humour, and such as he wholly approved.³

¹ De Silva to Philip, August 2: *MS. Simancas*.

² Sir Walter Mildmay to Cecil, August 4: *Domestic MSS. Rolls House*.

³ Bedford had formed a strong opinion as to the impolicy of Elizabeth's attitude. She had herself written to explain her views to him. "Although," she said, "apparent arguments may be made that the neglecting of that Queen's estate in this her captivity, by supporting of the others, might tend greatly to our particular profit and surety — yet finding the same not agreeable to our princely honour, nor the satisfaction of our conscience, we cannot agree to certain demands made to us for the contrary, whereof we have thought good to let you understand our meaning." — Elizabeth to the Earl of Bedford, July 20.

Bedford, commenting to Cecil on this letter, says: "Those that serve must be directed always, though oftentimes it be to their great grief to put

Meantime events in Scotland had been moving with accelerating speed. Each post which came in from England brought fiercer threats from Elizabeth, which all the warnings of her Council could not prevent her from sending. It might have been almost supposed that with refined ingenuity she was choosing the means most likely to bring about the catastrophe which she most affected to dread.¹

The letters from Edinburgh were all to the same purpose, that the louder Elizabeth menaced the more obstinate became the Lords. They would tolerate no interference between themselves and the imprisoned Queen. It was a Scottish question, which Scots and Scots alone should deal with. They would send the little James to be educated in England — but on one condition only.

“Let your Queen,” said Maitland to the English Ambassador, “exalt our Prince to the succession of the

in execution all that they be commanded. I am sorry to see that her Majesty is no better affected to the Lords in Scotland. How much it shall stand us in stead to embrace their gentle offers and good wills, will one day appear.” — Bedford to Cecil, July 25 and August 1: *Border MSS.*

Sir Walter Mildmay, writing also to Cecil on the same subject, says: “The matters in Scotland are come to a far other conclusion than as I perceived by your first was looked for here; but surely to none other than was like to follow, the case itself and the proceedings considered. A marvellous tragedy, if a man repeat it from the beginning, showing the issue of such as live not in the fear of God.” — Mildmay to Cecil, August 4: *Domestic MSS.*

To Mildmay also it seemed false wisdom to attempt to arrest or change the natural retribution for crime.

¹ “Her Majesty remains in her first opinion; we have shown her that if the Lords are left out of hope of her Majesty, it will not only be a means of the greatest extremity to that Queen, but also a perpetual loss of those which neither she, nor hers, are like to recover again. It is showed her further, that the thing which she would fainest should not come to pass of all other things is by this her manner of dealing most likely to be brought to pass the sooner against her. She answers still she will not comfort subjects against their Prince.” — Leicester to Throgmorton, July 22: *Conway MSS.*

crown of England, for fault of issue of her Majesty's body. That taking place, he shall be as dear to the people of England as to the people of Scotland, and the one will be as careful for his preservation as the other. Otherwise it will be reported that the Scottishmen have put their Prince to be kept in safety as those who commit the sheep to be kept by the wolves." ¹

On the 24th of July a full meeting of the Council was held in the Tolbooth. Throgmorton, July 24. compelled to obey the instructions which he received from home, demanded audience, and in his mistress's name required them formally to release their Queen. Without condescending to notice his request, they also communicated formally the decision at which they had themselves arrived.

"In consideration of the Queen's misbehaviour," her public misgovernment, and her private and personal enormities, "they could not permit her any longer to put the realm in peril by her disorders." If she would resign the crown, "they would endeavour to preserve both her life and honour, both which otherwise stood in great danger." If she refused, the Prince would be crowned, and she herself, in compliance with the demand of the General Assembly, would be placed on her trial for her husband's murder, and for other crimes.² She would be indicted on three several counts:—"The breach of the laws of the realm," the statute of religion of 1560, which had

¹ Throgmorton to Leicester, July 26: *MSS. Scotland*.

² "The General Assembly hath made request that the murder of the late King may be severely punished, according to the Law of God, according to the practice of their own realm, and according to the law which they call *Ius Gentium*, without respect of any person."—Throgmorton to Elizabeth, July 25: *Concurrence MSS*

been passed in her absence and which she had never yet ratified, but which, nevertheless, they assumed to be binding upon her; "incontinency with Bothwell as with others, having sufficient evidence against her" in each particular case; and thirdly, the murder, in which "they said they had as apparent proof against her as might be, as well by the testimony of her own handwriting which they had recovered, as also by sufficient witnesses."

"Jus gentium" as well as precedent, there might perhaps be for the essentials of this proceeding. The doctrine of the responsibility of princes to their subjects had been preached thirty years before by Reginald Pole, when the Catholics were at issue with Henry VIII.; but kings and queens, when they had committed crimes, had been brought to justice so far by the wild method of assassination, and the establishment of a formal court in which a prince regnant could be indicted, was a new feature in European history. The messenger chosen to carry to Lochleven the intimation of the Council's intentions was the rugged Lindsay, the man of few words, who would have fought Bothwell at Carberry, and whom Mary Stuart had sworn to hang. Ruthven went with him, son of the hard earl who had been the first to seize Ritzio in her cabinet, and Robert Melville the diplomatist. These three represented the three parties into which the Lords were divided. Lindsay was the mouth-piece of the fiery zealots of the Assembly; Ruthven belonged to the more moderate faction of Morton and Mar; while Melville, as the secret agent of Maitland and Throgmorton, carried a note from the latter concealed in the scabbard of his sword, advising Mary to comply with any demand which should be presented to her,

and assuring her that no act which she might do under such compulsion could prejudice her rights.

Short time was allowed her for reflection. The same morning on which the Council communicated their purpose to the English Minister, Lindsay repaired to Lochleven. Persuasion was to be tried first, and Melville was admitted alone to the Queen's presence. He found her still unbroken — at times desponding, at times "speaking as stout words as ever she did."¹ Having an unexpected opportunity of speaking privately to her, he gave her Throgmorton's message, and added another directly from Elizabeth, with which he had been charged also, if he was able to give it; that "at all times she might count upon a sure friend in the Queen of England."

These fatal words — the prime cause of Elizabeth's long troubles in after years — "were no small comfort to her in her grief."² She said she would rather be in England under Elizabeth's protection, "than obliged to any prince in Christendom." Her proud blood boiled at the indignities which were thrust upon her, and in her first passion she fought fiercely against all that Melville could urge. But his arguments, coupled with the dreadful recollection of the Sunday night which followed her capture at Carberry, told at last upon her. The Council had sent three instruments for her signature: one her own abdication; another naming the Earl of Murray Regent, or, if Murray should refuse the offer, vesting the government in a Council; a third empowering Lindsay and the Earl of Mar and Morton to proceed to the coronation of her son. It has been said that when they were

¹ Bedford to Cecil, August 10: *Border MSS.*

² Sir R. Melville to Elizabeth, July 29: *MSS. Scotland*

laid before her and she hesitated to sign them, Lindsay clutched her arm and left the print of his gauntleted hand upon the flesh; that having immediate death before her if she refused, she wrote her name at last with a scornful allusion to his brutality, and a contemptuous intimation of the worthlessness of concessions so extorted. The story rests on faint authority. If the Queen of Scots had hinted that she would not consider herself bound by the act to which she was setting her hand, her life would unquestionably have been forfeited; and however violent the intentions of Lindsay's party, it appears certain that she was not informed that her life was in immediate danger."¹

However it was — whether in fear, or, as is far more likely, relying secretly on the assurance that an abdication obtained from her in her present condition would have no legal validity — she signed the papers, and Lindsay returned the same night with them to Edinburgh. Yet her peril was scarcely diminished. The instrument for the coronation of the Prince, it was understood, would be immediately acted on. Conscious of the effect which such an act would produce on Elizabeth, Throgmorton interceded with Maitland at least for a few days' delay. Maitland said that for himself he wished what the Queen of England wished; but "he was in place to know more than Throgmorton knew," and if Throgmorton meddled or

¹ The following mutilated fragment of a note addressed to her by Throgmorton remains in the Rolls House. It is dated the 23th of July, four days after her abdication: —

"Madam, I have received your memoir. I cannot obtain lords to have access to your Majesty: and nevertheless . . . assure yourself the Queen my Sovereign hath great . . . your good, and relieve you of your calamity and peril, which I find greater than my Sovereign doth suspect. It behoveth somewhat to eschew the personal danger towards you, which is *much greater than your Majesty doth understand.*"

used "threatening speech," it would be the Queen's death-warrant, and he could only intreat him, if he valued her preservation, to be silent. On the afternoon of the 25th he was conducted again to the Tolbooth.

There stood or sate before him that stern body of
July 25. fierce men — some who, in the fervour of godliness, had made the Scottish Reformation — some, the most of them, who had played with it for mere worldly purposes, but had all united on the purpose which they had then in hand. There they were, earls, barons, lords, and gentlemen, in armour every one, with their long boots and long steel spurs, ready to mount and ride. He was told briefly that the Queen had resigned, that they were going forthwith to Stirling to crown the Prince, and he was invited to accompany them.

Notwithstanding Maitland's caution, he dared not be silent. Solemnly, in the name of his mistress, he protested against an act which would bring down upon them the indignation of Europe. In his own person he pleaded with such of them as he privately knew or could hope to influence. At least he urged them to wait for the return of Murray; and as to the coronation, he declared, that he neither might nor would "be present at any such doings."

They were prepared for his remonstrances, and prepared to defy them. The Lords, who sate in front, said briefly, that they must do their duty; the realm could not be left without a prince, and the government would be administered for the future "by the wisest of the nobility." A loud cry rose from the crowd of gentlemen who stood behind, that "the realm could

not be governed worse than it had been; the Queen was advised by the worst Council or no Council."

The Lords rose: "My Lord," they said, "we will trouble you no further; the day passeth away, and we have far to ride." Their horses were before the gate; they mounted, and the iron cavalcade streamed away across the Grassmarket. Three days later, so far as subjects could make or unmake their sovereign, the reign of James VI. had commenced.

Throgmorton could only write to request his recall. He dreaded now that Elizabeth would reply to so daring a contempt of her commands by some open act of hostility; and that, whatever else might come of it, Mary Stuart's doom would then be sealed. "As the case stands with this miserable Queen," he wrote the morning after the Lords' departure, "it shall be to little purpose to me to have access to her, or to treat with her according to my instructions. It is to be feared that this tragedy will end in the Queen's person after this coronation, as it did begin in the person of David the Italian and the Queen's husband."¹

Yet Throgmorton's efforts had not been wholly thrown away: Mary Stuart's throne was lost irrecoverably, and her life was hanging by a thread; but both her life and the exposure and infamy which would accompany her public trial might yet be prevented, if Elizabeth could only be kept quiet. To this Mary Stuart's best friends in Scotland, and Elizabeth's wisest Ministers at home, had now to address themselves.

Sir Robert Melville wrote directly to the Queen of England:—"What may yet fall out to the worst," he said, "I am in great doubt. Your Majesty may

¹ Throgmorton to Cecil, July 26: *MSS. Scotland.*

be remembered that at my last being with your Highness I feared this extremity, and could give no better advice for my Sovereign's weal than by gentle dealing with these Lords, in whose hands lies both to save and to spill. The greater number be so bent on rigour against my mistress, that extremes had been used if your Highness's Ambassador had not been present, who did so utter both his wisdom and affection to her Majesty, that he only did put aside the present inconvenience, and did so procure the matter as both life and honour have been preserved."¹

Preserved they were for the moment; but with the first move of an English soldier towards Scotland — with the first symptoms of an active intention to restore Mary Stuart to her throne by force — it was equally certain that they would not be preserved. The Lords would not expose themselves to the risk of any such contingency. Throgmorton, not daring to address his mistress herself, applied himself to Leicester. "He could but deplore," he said, "the dangerous discommodious opinion" in which her Majesty had fixed herself; an opinion which would be at once politically ruinous to England, and fatal to Mary Stuart herself. "Whether it was fear, fury, or zeal which had carried the Lords so far," he could not tell; but this he "could boldly affirm," "that nothing would so soon hasten her death as the doubt that the Lords might conceive of her redemption to liberty and authority by the Queen's Majesty's aid."²

In England, though with extreme difficulty and with but limited means, the Council were labouring to the same purpose. Elizabeth for a time seems to have

¹ Sir R. Melville to Elizabeth, July 29: *MSS. Scotland*.

² Throgmorton to Leicester, July 31: *MS. Ibid.*

been utterly ungovernable. Her imagination had painted a scheme in which she was to appear as a beneficent fairy coming out of the clouds to rescue an erring but unhappy sister, and restore her to her estate, with a wholesome lecture on her past misconduct. It was an attitude pleasing to her fancy and gratifying to her pride, and all was shattered to the ground. Throgmorton no longer even wished to see Mary Stuart. To read to her Elizabeth's admonition "appeared too hard, considering her calamity and temptation:"¹ and the proud Queen, who could never realise that the Scots were not her own subjects, writhed under her defeat.

Cecil, who understood his mistress best, ventured only quiet remonstrances "when opportunity offered itself," and modified the violence which he could not wholly check. Those who were at a distance from the Court were more outspoken. Sir Walter Mildmay "could not conceive what moved the Queen to strive against the stream, and trouble herself with unnecessary quarrels." The Earl of Bedford, from Berwick, remonstrated on grounds of public morality, and insisted on the practical mischief which was already resulting from it. Bothwell was still at large. The want of settled government in Scotland had let loose the Border thieves, who were his sworn friends and allies; on the 15th of July, "by procurement of the Earl of Bothwell, a thousand horse had crossed the marches and pillaged Northumberland;" yet because the Border thieves called themselves the Queen of Scots' friends; Elizabeth had distinctly forbidden the English marchers to retaliate. "The marchers," she had told Bedford, "could not be allowed to redress

¹ Throgmorton to Leicester, July 31: *MSS. Scotland.*

their own injuries ;”¹ nor would she permit the regular forces at Berwick to redress them either, lest by the just execution of the Border laws, she should lend even this remote semblance of countenance to the Lords. The wardens all along the line from Carlisle to Berwick had written for instructions in anger and perplexity.² Never in all recent experience had the Border been in such confusion ; yet Elizabeth’s displeasure had been reserved for Bedford, whom she accused of having taken part against the Queen of Scots. The old Earl proudly acknowledged the truth of the charge. “Wishing the Lords well,” he

August.

said, “I cannot but say that I have favoured them and their actions, because I see that it is good and honourable, and their Queen’s doings abominable and to be detested.”³

It would have been well if Elizabeth had rested here ; but after her conversation with Murray, and not liking the language in which he replied to her menaces, she ventured upon a step, which, if it had been likely to succeed — as in the end, and when circumstances changed, it succeeded but too fatally — might have created, and was intended to create, a civil war in Scotland. She had directed Throgmorton when she sent him on his commission, if he failed with the Confederate Lords, to address himself to the Hamiltons. She had been warned of the game which the Hamiltons were playing, but she believed that she could tempt them through their ambition to declare themselves for the Queen ; and while Throgmorton was busy with the Lords, she attempted through some

¹ Elizabeth to Bedford, July 20: *Border MSS.*

² Scrope and Sir John Foster to Cecil, July, 1567; Bedford to Cecil, July 13; July 15; July 19: *MSS. Border.*

³ Bedford to Throgmorton, August 4: *Conway MSS.*

other agent to work upon their adversaries. Her advances were not successful.

"I understand by a very sure friend," Bedford wrote to Cecil, "that her Majesty does work with the Hamiltons against the Lords, and that somewhat has been offered to them in that behalf. Her Majesty has spent much money to rid the French out of this country, and this is the next way to bring them in again, and breed her Majesty great disquietness in the end — what else I dare not say. Her Majesty is a wise princess, and you and the rest be wise councillors. As soon as the Hamiltons understood thereof they sent to the Lords and offered the sooner to agree; so that thus little was saved, for this was the way to have one Scotsman cut another's throat."¹

The effect indicated by Bedford was brought more plainly before Throgmorton, who himself also knowing what Elizabeth expected of him, "had put out feelers in the same direction."² The Hamiltons, as Bedford truly said, immediately betrayed to the Lords the advances which had been made to them. So wild Elizabeth's movements seemed to both parties, that each assumed she must be influenced by some sinister motive. The Hamiltons imagined that she wished to weaken Scotland by a civil war; Maitland, who more respected her ability than her principles, suspected her of an insidious desire to provoke them to make thus an end of the Queen."³

¹ Bedford to Cecil, July —, 1567: *Border MSS.*

² On the 6th of August Leicester wrote to him to say that "her Majesty did will that he should make all search and enquiry to know what party might be made for the Queen, whether the house of Hamilton did stand for her or no, and that as much encouragement as was possible might be given to them for their better maintenance therein." — *Comeray MSS.*

³ Throgmorton, after the coronation, in obedience to orders from home, had given a severe message to Maitland. "Yea," saith he, "it is you that

Both concurred in believing that she meant ill to them and to Scotland, and, in consequence, instant and sinister overtures came in from all the noblemen who had hitherto held aloof from the Confederates. The true objects of the Hamiltons, long suspected, now began to show themselves. They cared nothing for the Queen; they cared much for the greatness of their house, and something they cared for Scotland. They had no humour to fill the country with blood to please their "auld enemies;" and if the Confederate Lords would resolve finally to abandon the detested alliance with England, return to their old traditions, accept France for their patron, and admit the Hamilton succession, the prisoner at Lochleven might cease to be a difficulty. Her life, in fact, was the only obstacle to an immediate union of parties. Were she once dead no question could be raised about her. So long as she lived there was the fear that she might one day be restored by Elizabeth; and if the Hamiltons came over to the Lords while this danger continued, "they would lose her thanks for their former well doings, incur as much danger as those who had been first and deepest in the action against her, and suffer most, having most to lose." "Let the Lords proceed," they said; "let them provide for themselves and such as would join with them, that they should come to no dangerous reckoning — (meaning thereby the dispatch of the Queen, for they said they could not honour two

seek to bring her death to pass, what shew soever the Queen your mistress and you do make to save her life and set her at liberty. The Hamiltons and you concur together — you have nothing in your mouths but liberty, and nothing less in your hearts. I have heard what you have said to me. I assure you if you should use this speech unto them which you do unto me, all the world could not save the Queen's life three days to an end — and as the case standeth, it will be much ado to save her life." — Throgmorton to Elizabeth, August 9: *MSS. Scotland.*

suns) — and it should not be long ere they would accord and run all one course.” These were the words which on the 9th of August were reported to Throgmorton by Murray of Tullibardine, as a communication which had been just received from the counter-confederacy at Hamilton Castle. Throgmorton had heard something of it before. The Archbishop was said to have promoted the Bothwell marriage merely to ruin the Queen; yet selfishness and baseness so profound seemed scarcely credible when laid out in black and white.

“Surely,” Throgmorton said, “the Hamiltons could make more by the Queen’s life than by her death. They might make a better bargain by marrying her to the Lord of Arbroath.”

The alternative had been considered, Tullibardine replied, but after careful thought had been laid aside. “They saw not so good an outgate by this device as by the Queen’s destruction; for she being taken away they accounted but the little King betwixt them and home. They loved not the Queen: they knew she had no great fancy to any of them, and they thus much feared her, the more because she was young and might have many children, which was the thing they would be rid of.”

“My Lord,” he continued, as he saw Throgmorton still half incredulous, “never take me for a true gentleman if this be not true that I tell you. The Archbishop of St. Andrew’s and the Abbot of Kilwinning¹ have proposed this much to me within these forty-eight hours.”²

The substantial truth of Tullibardine’s words was

¹ Gawen Hamilton.

² Throgmorton to Elizabeth, August 9: *MSS. Scotland*.

easily ascertained. Both the Hamiltons and Lord Huntly had made the same proposals, had suggested the same measures through separate messengers; and perplexed and fatally disheartened, Throgmorton went once more to Mar and Maitland, on whose general moderation he believed that he could rely. From neither of them, however, could he gather any comfort. Mar told him that he would do what he could for the Queen in the way of persuasion, "but to save her life," he said, "by endangering her son or his estate, or by betraying my marrows, I will never do it, my Lord Ambassador, for all the gowd in the world."¹

Maitland was scarcely less discouraging, and replied to his appeal with mournful bitterness.

"My Lord," he said, "we know all the good purposes which have passed between you and the Hamiltons and the Earl of Argyle and Huntly. You know how I have proceeded with you since your coming hither; I have given you the best advice I could to prevent extremity, and either the Queen your sovereign will not be advised, or you do forbear to advise her. I say unto you, as I am a Christian man, if we which have dealt in this action would consent to take the Queen's life from her, all the Lords which hold out and lie aloof from us would come and join with us within two days. My Lord Ambassador, if you should use the speech to the Lords which you do to me, all the world could not save the Queen's life three days to an end."²

At length, and after weary expostulations, Throgmorton succeeded in extracting a promise "that the

¹ Throgmorton to Leicester, August 9; *MSS. Scotland*.

² Throgmorton to Elizabeth, August 9; Throgmorton to Cecil, August 2; *MS. Ibid.*

woeful Queen should not die a violent death, unless some new accident occurred," before the coming of Murray, who was now daily expected. It was high time indeed for Murray to arrive. Two days after, there was a scene at Westminster, which, if the Lords had heard of it before Murray was on the spot to control them, would have been the signal for the final close of Mary Stuart's earthly sufferings. On the 11th of August, "at four o'clock in the afternoon," Elizabeth sent for Cecil, "and entered into a great offensive speech," reproaching him for having as yet contrived no means for the rescue or protection of the Queen of Scots. Cecil giving evasive answers, the Queen produced a letter which she required him to send to Throgmorton. It was to inform the Lords that whatever other Princes might do or forbear to do, she for herself, "if they continued to keep their sovereign in prison, or should do or devise anything that might touch her life or person, would revenge it to the uttermost upon such as should be in any wise guilty thereof." She told Cecil that she would immediately declare war. She insisted that Throgmorton should deliver her words as an immediate message from herself, and that "as roundly and as sharply as he could, for he could not express it with more vehemency than she did mean and intend."¹

It was Cecil's duty to speak plainly, and furious as Elizabeth was, he did not hesitate. He exhausted every kind of direct argument. At length when nothing which he could say would move her, he suggested what Maitland had already hinted as the belief which was growing up in Scotland, "The malice of the world would say that she had used severity to the

¹ Elizabeth to Throgmorton, August 11: *Conway MSS.*

Lords to urge them to rid away the Queen." Such an interpretation of her conduct had not occurred to her. Full of her immediate object she had forgotten that her past artifices might recoil upon her when she least deserved it. She hesitated, and at the moment an opportune packet came in from Edinburgh assuring her that a single hostile move would be the Queen's death-warrant. Even this, and the too possible calumny, did not wholly convince her. She still insisted that her letter should be sent; but she so far modified her orders that she allowed the ambassador "to use discretion in the persons to whom it should be shown." She named Murray, who by this time she knew must have arrived, and Maitland, "in whom with the other she reposed most trust to preserve the Queen."¹

She had counted rightly on Murray, though to his face she had abused and threatened him. One word from him, or no word—for his silence would have been enough—and his sister would have had as short a shrift as she had allowed to Darnley. The same 11th of August, while Elizabeth was storming at Westminster, he rode into Edinburgh uncertain whether to accept the Regency, to which he learnt at Berwick that he was to be raised; uncertain how to act on any side till he had seen his sister's letters with his own eyes—till he had spoken with his sister himself.

His selection as Regent spoke well for the intentions of the Confederates. He was the only prominent nobleman who had carried himself innocently and honourably through the wild doings of the past years. He was a Calvinist, yet he was too generous to be a fanatic, and the Catholic Courts in Europe respected the integrity which they had tried and failed to cor-

¹ Cecil to Throgmorton August 11: *Conway MSS.*

rupt. His appointment would be unpalatable to the Hamiltons, yet they would find a difficulty in opposing it. In the minority of the sovereign they claimed the Regency by proximity of blood to the crown, yet until they had recognised the Queen's deposition they could not contend for the administration of her government; while the French, to whom they might have looked for support, were willing and eager to give their help to Murray — if Murray in turn would desert the English alliance.

And what cause had Murray to prefer the friendship of a sovereign who had betrayed him into rebellion, and then repudiated her own instructions — who had reproached him openly in her own court for conduct which she had herself invited him to pursue, and had then left him to bear as he might the consequences of having consented to serve her? Why should he prefer Elizabeth, who had even now dismissed him from her presence with menaces and "hard words," to Catherine de Medici and Charles, who had loaded him with honours, tempted him with presents, and were ready to support him with the armed hand of France in taking the place to which he was called by his country? It would seem as if he could have given no intelligible reason, except there were objects which he preferred to his own personal interest. The hand of France was still extended to him, and every practical difficulty would have been removed by his acceptance of it. Although he had stolen away from Paris, Catherine had shown no resentment. De Lignerolles overtook him between London and Berwick, but only to bring him a magnificent present, and to renew the offer of the pension which he had refused. While Elizabeth was flattering herself that Catherine would

go along with her; that troops which were reported to be assembling in Normandy under M. de Martigues were to be used in assisting her to crush the Confederate Lords, De Lignerolles accompanied Murray to Edinburgh, where he assured Throgmorton "that the whole Protestants of France would live and die in those men's quarrels;" that if De Martigues came, "it would be with a good force to succour them."¹ He explained distinctly that while his formal instructions were to intercede for the liberty of the Queen, yet if the Lords refused, "they being noblemen of another country, and not the King's subjects but his friends, the King could do no more but be sorry for his sister's misfortunes." He told Maitland "that the King his master was as careful for their safeties as they themselves could be, and to that end advised them to provide substantially. France cared only for the old league, and could be as well contented to take it of the little King as otherwise."²

It would have perhaps been better for the interests of Europe if the support thus offered by France had been accepted, if Murray's integrity had been less, or his political insight had been greater. If the Scotch noblemen, supported by the nearest relatives of the Queen, had brought her to trial for her crimes and publicly executed her, she at least would have ceased to be an element of European discord. Her claims on England and the question of her guilt would have at once and for ever been disposed of. The French Government would have insensibly committed themselves on the side of the Reformation, by uniting with a party who had been its great promoters in another country.

¹ Throgmorton to Cecil, August 12: *MSS. Scotland.*

² *Ibid.*

Their dependence upon the Guises would have been weakened; their connections with the Huguenots would have been drawn closer; the smouldering remnant of the Catholic faction in Scotland would have been extinguished; and England and France, no longer divided by creed, might have been drawn together with Scotland as a connecting link, and hand in hand have upheld in Europe the great interests of freedom.

Other consequences, it is true, might have followed. Mary Stuart, in life or death, was the pivot of many possibilities; and speculations "as to what might have been" are usually worthless; yet this particular result, looked at by the light of after events, appears so much more likely than any other, that the loss of an opportunity, which, if caught and used, might have prevented such tremendous misfortunes, cannot be passed over without some expression of regret.

For the two first days after Murray's arrival it seemed as if France would gain the day. He had left Elizabeth foaming with indignation at the conduct of the Lords; he knew that it would be idle to ask her to recognise a government of which he was the head; while Catherine was ready to receive a minister from him at the French Court, and Maitland was already spoken of as the person who was to be sent to Paris. When the casket and its contents were laid before him, "none spoke more bitterly against the tragedy and the players therein than Murray; none showed so little liking to such horrible sins."¹ He expressed "great commiseration towards his sister," and he hesitated about the Regency; yet it was clear that, in spite of Elizabeth, "he intended to take his fortune with

¹ Throgmorton to Cecil, August 12: *MSS. Scotland, Rolls House*

the Lords." He told Throgmorton that "he would not gladly live in Scotland if they should miscarry or abandon his friendship."

Before he formed a final resolution he insisted that he must see the Queen, and the Lords, after some hesitation, consented. He "showed himself much perplexed; honour and nature moving him one way, his duty to his friends and to religion drawing him the other." Time, at any rate, would be gained, and there was no longer a fear, as there had been a few days previously, that the Queen would be secretly murdered. Her friends could only hope that Elizabeth would give the Lords no fresh provocation, and would be brought to consider the situation more temperately.

"I trust," Throgmorton wrote on the 14th to Leicester, "that the woeful lady hath abidden the extremity of her affliction; and the way to amend her fortune is for the Queen's Majesty to deal in her speech more calmly than she doth, and likewise not to let them see that her Majesty will shake off all their friendship, for surely that will bring a dangerous issue. Scotland, and all the ablest and wisest of the nation, will become good French, which will breed and nourish a cumbrous sequel to her Majesty and her realm."¹

Elizabeth too, on her side, was "perplexed," as reason alternated with passion. She was able to acknowledge Murray's difficulties, and she feared at times "he would be in more peril himself than be able to do anything for his sister; she doubted the matter to be so handled as he must either endanger himself or dishonour himself:" but she trusted that "he would

¹ MSS. Scotland, Rolls House.

show himself such an one as he seemed to her he would be.”¹ That he would dishonour himself there was little likelihood, and for personal danger Murray cared as much for it as noble-minded men are in the habit of caring ; but his position was one in which more than moral qualities were wanted. For the work cut out for him “he had too much of the milk of human kindness.”

The curtain rises for a moment over the interior of Mary Stuart’s prison-house. When the first rage had passed away, she had used the arms of which nothing could deprive her ; she had flung over her gaolers the spell of that singular fascination which none who came in contact with her failed entirely to feel. She had charmed even the lady of Lochleven, to whose gentle qualities romance has been unjust ; and, “by one means or another she had won the favour and goodwill of the most part of the house, as well men as women, whereby she had means to have intelligence, and was in some towardness to have escaped.”² So alarming an evidence of what she might still do to cause disturbance of course increased her danger, and for the two weeks which followed she was confined a close prisoner in the rooms set apart for her use.

The island on which the castle stands was then something under an acre in extent. The castle itself consisted of the ordinary Scotch tower, a strong stone structure, five and twenty feet square, carried up for three or four stories. It formed one corner of a large court from ninety to a hundred feet across. The basement story was a flagged hall, which served at the same time for kitchen and guard-room. The two or

¹ Leicester to Throgmorton, August 6: *Conway MSS.*

² Throgmorton to Elizabeth, August 5: *MSS. Scotland.*

three rooms above it may have been set apart for the lord and lady and their female servants. The court was enclosed by a battlemented wall eighteen or twenty feet high, along the inner sides of which ran a series of low sheds and outhouses, where the servants, soldiers, and retainers littered in the straw. In the angle opposite the castle was a round turret, entered, like the main building, from the court; within it was something like an ordinary lime-kiln from seven to eight feet in diameter; the walls were five feet thick, formed of rough hewn stone rudely plastered, and pierced with long narrow slits for windows, through which nothing larger than a cat could pass, but which admitted daylight and glimpses of the lake and the hills. This again was divided into three rooms, one above the other; the height of each may have been six feet; in the lowest there was a fireplace, and the windows show marks of grooves, which it is to be hoped were fitted with glass. The communication from room to room must have been by ladders through holes in the floors, for there was no staircase outside, and no space for one within.

Here it was, in these three apartments, that the Queen of Scots passed the long months of her imprisonment. Decency must have been difficult in such a place, and cleanliness impossible. She had happily a tough healthy nature, which cared little for minor discomforts. At the worst she had as many luxuries as the wives and daughters of half the peers in Scotland. At her first coming she had been allowed to walk on the battlements and on the terrace outside the gate; but since her attempt to escape she had been strictly confined to her tower; and she was still a close prisoner there when, on the 15th of August, the Earl of

Murray, accompanied by Athol, Morton, and Lindsay, arrived at the island.

The brother and sister met without the presence of witnesses; and the character of the interview can be gathered from what one or the other cared to reveal. This only Throgmorton was able to tell. The Queen received Murray "with great passion and weeping," which however produced no effect. Murray understood her tears by this time as well as Knox. He sat with her for several hours, but he was cold and reserved. She was unable to infer from his words "either the ill which he had conceived of her or meant towards her." She tried to work upon his weakness, and she failed. But the meeting did not end there: in the evening, "after supper," they were again together, and then it seems that Murray spoke out his whole heart. Deep into the night, until "one of the clock," they remained; the young, beautiful, brilliant Queen of Scotland, fresh from acts

"That blurred the grace and blush of modesty," —

fresh from "the enseamed bed" of a brutal cutthroat, and the man in all the world who loved her as his father's daughter, who had no guilt upon his own heart, like so many of those who were clamouring for her death, to steel his heart towards her, who could make allowances only too great for the temptations by which she had been swept away.

"Plainly without disguising he did discover unto her all his opinions of her misgovernment, and laid before her all such disorders as might either touch her conscience, her honour, or her surety." "He behaved himself rather like a ghostly father unto her than like a councillor," and she for the time was touched or

seemed to be touched. Her letters had betrayed "the inmost part of her" too desperately for denial. "Sometimes," says Throgmorton, "she wept bitterly ; sometimes she acknowledged her unadvisedness ; some things she did confess plainly ; some things she did excuse, some things she did extenuate."¹ What Throgmorton could not venture to report more plainly to Elizabeth, Lady Lennox added to the Spanish Ambassador : — "The Queen of Scots admitted to her brother that she knew the conspiracy for her husband's murder."²

He left her for the night, "in hope of nothing but God's mercy, willing her to seek to that as her chiefest refuge." Another interview in the morning ended less painfully. It has pleased the apologists of the Queen of Scots to pretend an entire acquaintance with Murray's motives ; to insist that he had intended to terrify her, merely that she might again consent to make over the government to him. How, in the sense of these writers, the government of Scotland could have been an object of desire either to him or to any man, is less easy to explain. A less tempting prospect to personal ambition has been rarely offered, — a Regency without a revenue, over a country which was a moral, social, and religious chaos. He had the certain hatred of half the nobility before him if he allowed the Queen to live ; the certain indignation and perhaps the open hostility of Elizabeth if he accepted the government ; the imminent risk of an early and violent death.

¹ Throgmorton to Elizabeth, August 20: Keith.

² "Milady Margarita me ha enviado á decir que luego que el Conde de Murray llegó á Escocia fué á hablar á la Reyna la qual trató con el de su delibracion, encomandandole to que toca á su vida y negocios; y que la Reyna habia confesado que supó el trato de la muerte de su marido." — De Silva to Philip, August 30: *MS. Simancas*.

With these conditions before him, ambition, unless to save his sister, or at his own deadly peril to bring his country out of the anarchy in which it was weltering, could have had but little influence with Murray, and ambition such as that does not compass its ends with baseness.

He had forced her to see both her ignominy and her danger, but he would not leave her without some words of consolation. He told her that he would assure her life, and if possible he would shield her reputation, and prevent the publication of her letters. Liberty she could not have, neither would she do well at present "for many respects" to seek it. He did not wholly believe her professions of penitence: he warned her "that if she practised to disturb the peace of the realm, to make a faction in it, to escape from Lochleven, or to animate the Queen of England or the French King to trouble the realm;" finally, "if she persisted in her affection for Bothwell," — his power to protect her would be at an end. If, on the contrary, "she would acknowledge her faults to God; if she would lament her sins past, so as it might appear that she detested her former life and intended a better conversation and a more modest behaviour;" "if she would make it evident that she did abhor the murder of her husband, and did mislike her former life with Bothwell, and minded no revenge to the Lords and others who had sought her reformation," — all might yet be well, and she might hope eventually to recover her crown.

"She took him in her arms and kissed him." They spoke of the government: she knew that in his hands, and his only, her life would be in no danger, and she implored him not to refuse it. He told her distinctly

the many objections — he knew that it would be a post of certain peril — but she pressed him, and he consented. Then “giving orders for her gentle treatment and all other good usage,” he took his leave, with new fits of tears, kisses, and embraces.¹

“Kisses and embraces!” and from that moment, as Mary Stuart had hated Murray before, so thenceforth she hated him with an intensity to which her past dislike was pale and colourless. He had held a mirror before her in which she had seen herself in her true depravity; he had shown her that he knew her as she was, and yet he spared her; while she played upon his affections she despised him as imbecile, and the injury of his kindness she never forgave.

Even in the eyes of men of the world his conduct was profoundly imprudent.

“The Earl of Murray,” said James Melville, who understood Mary Stuart as well as he, “instead of comforting his sister, entered with her Majesty in reproaches, giving her such injurious language as was like to break her heart: we who blamed him for this lost his favour. The injuries were such as they cut the thread of love betwixt the Queen and him for ever.”²

The men of the world would have killed her, or made friends with her: had Murray been as they he would have seen the force of the alternative, but he would not have fulfilled his duty better as an affectionate brother or a Christian nobleman.

Murray then was to be Regent, and the Queen of Scots’ deposition was to be confirmed, with Elizabeth’s pleasure or without. The state of Scotland demanded

¹ Throgmorton to Elizabeth, August 20.

² *Memoirs of Sir James Melville.*

it — his sister's safety demanded it, fume or fret as sovereign princes might at the example. The theory that when rulers misconduct themselves, subjects must complain to God, and if God took no notice must submit as to a divine scourge, was to find no acceptance. The study of the Old Testament had not led the Scots to any such conception of what God required of them. 'The Lord Regent,' reported Throgmorton, three days later, "will go more stoutly to work than any man hath done yet; for he seeks to imitate rather some who have led the people of Israel than any captain of our days. As I can learn, he meaneth to use no dallying, but either he will have obedience to this young King of all estates in this realm, or it shall cost him his life. He is resolved to defend the Lords and gentlemen that have taken this matter in hand, though all the princes in Christendom would band against them."¹

Thus the difficulties which lay before him were not long in showing themselves. Since the Queen was to be allowed to live, the Hamiltons and their friends considered that they would best consult their own interests by holding aloof. Elizabeth, even before she heard that he had made his decision, sent him word that she would never recognise his government, and threatened him with "public ignominy."²

To the Hamiltons he replied, "that there should be no subject nor place within the realm exempted from the King's authority," or from obedience to himself as Regent there.³ To Elizabeth he said, that his course "was now past deliberation," and "for ignominy and

¹ Throgmorton to Cecil, August 20: *MSS. Scotland*.

² Cecil to Throgmorton: *Comeney MSS.*

³ Throgmorton to Elizabeth, August 23.

calumniation, he had no other defence but the goodness of God, his upright conscience, and his intent to deal sincerely in his office. If that would not serve he had no more to say, for there was none other remedy but he must go through with the matter."¹

Throgmorton asked him whether there was a hope that the Queen would be released. He replied that as long as Bothwell was at large and unpunished, it could not be spoken of, and "they would not merchandise for the bear's skin before they had caught the bear." The Queen's liberty would depend upon her own behaviour: "if she digested the punishment of the murderer," without betraying "any wrathful or revengeful mind," and if Elizabeth would seek the quiet of Scotland, and not endeavour to trouble him "by nourishing contrary factions," the Lords would be more compliant than for the present they were disposed to be.² Meanwhile her life and her reputation were for the present safe. The publication of the letters would, at any moment, serve as his complete defence against public censure; he would forbear from using this advantage as long as he was let alone; but Murray, or Maitland for him, warned the English Ambassador that if Elizabeth "made war upon them," "they would not lose their lives, have their lands forfeited, and be reputed rebels throughout the world, when they had the means in their hands to justify themselves, however sorry they might be for it."³

The gauntlet was thus thrown down to Elizabeth. If she hesitated to take it up, and to send an army by way of reply into Scotland, it was from no want of will to punish the audacious subjects who had dared to

¹ Throgmorton to Cecil, September 1: *MSS. Scotland.*

² *Ibid.*

³ Throgmorton to Elizabeth, August 22: Keith.

depose their sovereign. So angry was she that when Cecil and his friends remonstrated with her, she reproached them with themselves meditating disloyalty; and those Ministers who had laboured for years in drawing Scotland and England together, and smoothing the way for a more intimate union, saw their exertions shipwrecked against the Queen's theories of the sacredness of princes.¹ To avoid forcing Murray upon France, Cecil ventured to hint that she should receive a minister at the Court from him. She told Cecil he was a fool² for suggesting anything "so prejudicial to the Queen," and she sought a more congenial adviser in De Silva; who, however well he thought of Murray, and whatever ill he knew of the Queen of Scots, was too glad of an opportunity to encourage a quarrel among Protestants.

"The Queen," De Silva wrote, "assured me that she not only meant to set the Queen of Scots at liberty, but was determined to use all her power to punish the Confederate Lords. She said she would send some one to the King of France to tell him what she was

¹ "The Queen's Majesty is in continual offence against all these Lords, and we here cannot move her Majesty to mitigate it, do what we can, or to move her to hide it more than she doth. But surely the more we deal in it the more danger some of us find in her indignation; and specially in conceiving that we are not dutifully minded to her Majesty as our Sovereign, and where such thorns be, it is no quiet treading. For howsoever her Majesty shall in this cause (touching her so nearly as it seemeth she conceiveth, though I trust without any just cause) be offended with my arguments, I will, after my opinions declared, obey her Majesty to do that which is my office. Very sorry I am to behold the likelihood of the loss of the fruit of seven or eight years' negotiations with Scotland, and now to suffer a divorce between this realm and that, where neither of the countries shall take either good or pleasure thereof. If religion may remain, I trust the divorce shall be rather in words and terms than in hearts; and of this I have no great doubt." — Cecil to Throgmorton, August 20: *Comar MSS.*

² "Noting in me no small folly." — *MS. Ibid.*

though their devices may vary amongst themselves for the compassing hereof, according to the accidents of the times, and according to the impediments which they shall find by means of the Queen's Majesty's actions and government, yet all their purposes shall wholly and only tend to make the Queen of Scots Queen of this realm, and to deprive our sovereign lady thereof. And in these their proceedings there are two manner of things to be considered, the one of which is far worse than the other. The one is intended by them that, either for malicious blindness in religion or for natural affection to the Queen of Scots or the Lord Darnley, do persuade themselves that the said Queen of Scots hath presently more right to the Crown than our sovereign the Queen, of which sort be all their kindred of both sides and all such as are devoted to the Papacy either in England, Scotland, Ireland, or elsewhere. The other is meant of them which less maliciously are persuaded that the Queen of Scots hath only right to be the next heir to succeed the Queen's Majesty and her issue, of which sort few are without the realm but here within; and yet of them not so many as are of the contrary. And from these two sorts shall the devices and practices proceed.

“From the first are to be looked for these perils. It is to be doubted that the devil will infect some of them to imagine the hindrance of our dearest sovereign lady by such means as the devil will suggest to them; although it is to be assuredly hoped that Almighty God will — as hitherto He hath — graciously protect and preserve her from such dangers.

“There will be attempted by persuasions, by bruits and rumours and such like to alienate the minds of good subjects from the Queen's Majesty, and to con-

ciliate them to the Queen of Scots, and in this behalf the frontier and the north will be much solicited and laboured. There will be attempted tumults and rebellions, specially in the north towards Scotland, so as thereupon may follow some open extremity by violence. There will be by the said Queen's Council and friends a new league made with France or Spain that shall be offensive to this realm and a furtherance to their title; and it is also likely they will set on foot as many practices as they can, both upon the frontier and in Ireland, to occasion the Queen's Majesty to continue her charges, thereby to retain her from being wealthy or potent. From the second is not much to be feared; but they will content themselves to serve notably the Queen's Majesty and so to impeach her not to marry; but to hope that the Queen of Scots shall have issue, which they will think to be more plausible to all men because thereby the Houses of England and Scotland shall be united in one, and thereby the occasions of war shall cease; with which persuasions many people may be seduced and abused to incline themselves to the Queen of Scots." ¹

The several points thus prepared by Cecil for the consideration of the Council were enlarged in the discussion which ensued on them.

"By some it was thought plainly that the peril was greater by the marriage with the Lord Darnley than with the mightiest prince abroad; " a stranger would have few friends in England; the Lord Darnley being an English subject, " whatever power he could make by the faction of the Papists or other discontented persons would be

*Especially
 dangers anticipated
 from the
 Darnley
 marriage.*

¹ *Cotton MSS. Calig. B. 10.*

so much deducted from the power of the realm." "A small faction of adversaries at home was more dangerous than thrice their number abroad;" and it was remembered that "foreign powers had never prevailed in England but with the help of some at home."

It "had been observed and manifestly seen before this attempt at marriage that in every corner of the realm the factions that most favoured the Scottish title had grown stout and bold;" "they had shown themselves in the very Court itself;" and unless checked promptly "they would grow so great and dangerous as redress would be almost desperate." "Scarcely a third of the population were assured to be trusted in the matter of religion, upon which only string the Queen of Scots' title did hang;" and "comfort had been given to the adversaries of religion in the realm to hope for change," "by means that the bishops had dealt straightly with some persons of good religion because they had forborne to wear certain apparel and such like things—being more of form and accident than any substance." "The pride and arrogancy of the Catholics had been increased" by the persecution of the Protestants; while if the bishops attempted to enforce conformity on the other side "the judges and lawyers in the realm being not the best affected in religion did threaten them with premunire, and in many cases letted not to punish and defame them," "so that they dared not execute the ecclesiastical laws."

For much of all this the Queen was responsible. She it was who more than any other person had nursed "the Scottish faction" at the Court. If the bishops had been too eager to persecute the Catholics, it was she who had compelled Parker to suspend the ablest of

Effect of the
persecution
of the
English
Protestants.

the Protestant ministers: "But the sum of the perils was made so apparent as no one of the Council could deny them to be both many and very dangerous." They were agreed every one of them that the Queen must for the present relinquish her zeal for uniformity, and that the prosecutions of the clergy must cease till the question could be reconsidered by Parliament; they determined to require the oath of allegiance of the judges, "so that they should for conscience' sake maintain the Queen's authority," to replace the nonjuring bishops in the Tower, to declare forfeited all benefices held by ecclesiastics who were residing abroad, and to drive out a number of seditious monks and friars who had fled across the Border from Scotland and were serving as curates in the northern churches. Bedford meanwhile should go down to Berwick, taking additional troops with him; the "powers of the Border" should be held in readiness to move at an hour's notice; and a reserve be raised in London to march north in case of war. Lennox and Darnley might then be required to return to England on their allegiance. If they refused they would be declared traitors, and their extradition demanded of the Queen of Scots under the treaties.

The Council
advise
vigorous
measures.

So far the Council was unanimous. As to what should be done if the Queen of Scots refused to surrender them, opinions were divided. The bolder party were for declaring immediate war and sending an army to Edinburgh; others preferred to wait till events had shaped themselves more distinctly; all however agreed on the necessity of vigour, speed, and resolution. "No persons deserving of mistrust were to be suffered to have any rule of her Majesty's subjects or lands in the north;" they might "retain their fees," "but more

trusty persons should have the rule of their people." The Earl of Murray and his friends should be comforted and supported; and "considering the faction and title of the Queen of Scots had for a long time received great countenance by the Queen's Majesty's favour shown to the said Queen and her ministers," the Council found themselves compelled to desire her Majesty "by some exterior act to show some remission of her displeasure to the Lady Catherine and the Earl of Hertford."

Further — for it was time to speak distinctly, and her Majesty's mode of dealing in such matters being better known than appreciated — she was requested after considering these advices to choose which of them she liked, and put them in execution *in deeds, and not pass them over in consultations and speeches*.¹

Nor did the Council separate without returning once more to the vexed question of the The Queen's marriage. Queen's marriage. So long as she remained single they represented gravely that "no surety could be devised to ascertain any person of continuance of their families and posterities." The French affair had dragged on. Elizabeth had coquetted with it as a kitten plays with a ball. The French ambassador, De Foix, on the 2d of May made an effort to force an answer from her, one way or the other. "The world," he said, "had been made in six days, and she had already spent eighty and was still undecided." Elizabeth had endeavoured to escape by saying that the world "had been made by a greater artist than herself; that she was constitutionally irresolute, and had

¹ The words in italics are underlined in the original.

Summary of consultations and advices given to her Majesty, June, 1565: *Cotton MSS., Calig. B.* 10. Debates in Council, June 4, 1565: *Scotch MSS. Rolls House.*

lost many fair opportunities by a want of promptitude in seizing them." Four days later, on the receipt of bad news from Scotland, she wavered towards acceptance: she wrote to Catherine de Medici to say "that she could not decline an offer so generously made; she would call Parliament immediately, and if her subjects approved she was willing to abide by their resolution."¹

A Parliamentary discussion could not be despatched in a moment. The Queen-mother on receiving Elizabeth's letter asked how soon she might expect an answer; and when Sir T. Smith told her that perhaps four months would elapse first, she affected astonishment at the necessity of so much ceremony. If the Queen of England was herself satisfied she thought it was enough.

"Madam," replied Smith, "her people be not like your people; they must be trained by doulceur and persuasion, not by rigour and violence. There is no realm in Christendom better governed, better policed, and in more felicity of quiet and good order, than is the realm of England; and in case my sovereign should go to work as ye say, God knows what would come of it; you have an opinion that her Majesty is wise; her answer is very much in a little space and containeth more substance of matter than multitude of words."²

Catherine de Medici but half accepted the excuse, regarding it only as a pretext for delay. Yet Elizabeth was probably serious, and had the English Council been in favour of the marriage, in her desperation at the attitude of Mary Stuart she might have felt

¹ "La response de la Reyne," May 6: *French MSS. Rolls House.*

² Smith to Elizabeth, May, 1565: *MS. Ibid.*

herself compelled to make a sacrifice which would insure for her the alliance of France. Paul de Foix one day at the end of May found her in her room playing chess.

“Madam,” he said to her, “you have before you the game of life. You lose a pawn; it seems a small matter; but with the pawn you lose the game.”

“I see your meaning,” she answered. “Lord Darnley is but a pawn, but unless I look to it I shall be checkmated.”

She rose from her seat, led the ambassador apart, and said bitterly she would make Lennox and his son smart for their insolence.

De Foix admitted and made the most of the danger; “her enemies,” he allowed, “all over the world were wishing to see Mary Stuart and Darnley married,” and unfortunately there were also clearsighted able English statesmen who desired it as well, as a means of uniting the crowns. “But your Majesty,” he added, has in your hands both your own safety and your rival’s ruin. France has been the shield of Scotland in its English wars. Take that shield for yourself. The world is dangerous, the strongest will fare the best, and your Majesty knows that the Queen of Scots dreads no one thing so much as your marriage with the most Christian King.”

With mournful irony Elizabeth replied that she did not deserve so much happiness.¹ The English Council in pressing her to take a husband was thinking less of a foreign alliance than of an heir to the Crown; and the most Christian King was unwelcome to her advisers, for the reason perhaps for which she would

¹ Paul de Foix to the Queen-mother, June 2: Teulet, Vol. II.

have preferred him to any other suitor. The full-grown, able-bodied Archduke Charles was the person on whom the hearts of the truest of her statesmen had long been fixed. The Queen referred De Foix to the Council; and the Council on the 2d of June informed him "that on mature consideration and with a full appreciation of the greatness of the offer, the age of the King of France, the uncertainty of the English succession, and the unlikelihood of children from that marriage for several years at least, obliged them to advise their mistress to decline his proposals."¹

The next day Elizabeth sent for the ambassador of the Duke of Wirtemberg who was acting in England in behalf of Maximilian. She told him that she had once resolved to live and die a maiden Queen; but she deferred to the remonstrances of her subjects, and she desired him to tell the Emperor that she had at last made up her mind to marry.² She had inquired of the Spanish ambassador whether the King of Spain still wished to see her the wife of his cousin. The ambassador had assured her that the King could not be more anxious if the Archduke had been a child of his own. She said that she could not bind herself to accept a person whom she had never seen; but she expressed her earnest wish that the Archduke should come to England.

Elizabeth
holds out
hopes that
she will
take the
Archduke
after all.

The minister of Wirtemberg, in writing to Maximilian, added his own entreaties to those of the Queen; he said that "there was no fear for the Archduke's honour; the Queen's situation was so critical that if

¹ Mignet's *Mary Stuart*, Vol. I. p. 146.

² "Se constituisset nunc nubere."

the Archduke would consent to come she could not dare to affront the imperial family by afterwards refusing his hand.”¹

¹ Adam Schetowitz to Maximilian, June 4, 1565: *Burleigh Papers*,
Vol. I.

CHAPTER IX.

THE two Queens were again standing in the same relative positions which had led to the crisis of 1560. Mary Stuart was once more stretching out her hand to grasp Elizabeth's Crown. From her recognition as heir presumptive the step to a Catholic revolution was immediate and certain; and Elizabeth's affectation of Catholic practices would avail little to save her. Again, as before, the stability of the English Government appeared to depend on the maintenance of the Protestants in Scotland; and again State of parties in Scotland. the Protestants were too weak to protect themselves without help from abroad. The House of Hamilton was in danger from the restitution of Lennox and the approaching elevation of Darnley; the Earl of Lennox claimed the second place in the Scotch succession in opposition to the Duke of Chatelherault; and the Queen of Scots had avowed her intention of entailing her Crown in the line of the Stuarts. Thus there were the same parties and the same divisions. But the Protestants were split among themselves, among the counter influences of hereditary alliance and passion. The cession of her claims on the Earldom of Angus by Lady Margaret had won to Darnley's side the powerful and dangerous Earl of Morton, and had alienated from Murray the kindred houses of Ruthven and Lindsay. There was no longer an Arran marriage to cajole the patriotism of the many noblemen to whom

the glory of Scotland was dearer than their creed; and all those whose hearts were set on winning for a Scotch prince or princess the English succession, were now devoted to their Queen. Thus the Duke of Chatelherault, with the original group who had formed the nucleus of the Congregation, — Murray, Argyle, Glencairn, Boyd, and Ochiltree, — found themselves alone against the whole power of their country.

Secure on the side of France, Elizabeth would have been less uneasy at the weakness of the Protestants had the loyalty of her own subjects been open to no suspicion; but the state of England was hardly more satisfactory than that of Scotland. In 1560 the recent loss of Calais and the danger of foreign invasion had united the nation in defence of its independence. Two thirds of the peers were opposed at heart to Cecil's policy; but the menaces of France had roused the patriotism of the nation. Spain was then perplexed and neutral; and the Catholics had for a time been paralyzed by the recent memories of the Marian persecution.

Now, although the dangers were the same, Elizabeth's embarrassments were incomparably greater. The studied trifling with which she had disregarded the general anxiety for her marriage had created a party for the Queen of Scots amidst the most influential classes of the people. The settlement of the succession was a passion among them which amounted to a disease; while the union of the Crowns was an object of rational desire to every thoughtful English statesman. The Protestants were disheartened; they had gained no wisdom by suffering; the most sincere among them were as wild and intolerant as those who had made the reign

Strength of
Mary
Stuart's
position.

of Edward a byword of mismanagement; the Queen was as unreasonable with them on her side as they were extravagant on theirs; while Catholicism, recovering from its temporary paralysis, was reasserting the superiority which the matured creed of centuries has a right to claim over the half-shaped theories of revolution. Had Mary Stuart followed the advice which Alva gave to her messenger at Bayonne, had she been prudent and forbearing, and trusted her cause to time till Philip had disposed of the Turks and was at leisure to give her his avowed support, the game was in her hands. Her choice of Darnley, sanctioned as it was by Spain, had united in her favour the Conservative strength of England; and either Elizabeth must have allowed the marriage and accepted the Queen of Scots as her successor, or she must have herself yielded to pressure, fulfilled her promises at last, and married the Archduke Charles.

This possibility and this alone created Mary's difficulties. She knew what Philip's engagements meant; she knew that Spain desired as little as France to see England and Scotland a united and powerful kingdom; and that if Elizabeth could be recalled out of her evil ways by a Catholic alliance, the cabinet of Madrid would think no more of Darnley or herself. She would have to exchange an immediate and splendid triumph for the doubtful prospect of the eventual succession should her rival die without a child.

Nor did Elizabeth herself misunderstand the necessity to which she would be driven unless Mary Stuart saved her by some false move. She had played so often with the Archduke's name that her words had ceased to command belief; but at last she was thinking of him seriously — the more seriously perhaps, be-

cause many Englishmen who had before been most eager to provide her with a husband were now as well or better satisfied with the prospect of the succession of the Queen of Scots.

“The Queen,” De Silva wrote on the 8th of June to Philip, “has taken alarm at the divisions among her subjects. A great many of them she is well aware are in favour of Lord Darnley and Mary Stuart. Several of the most powerful noblemen in England have long withdrawn from the Court, and are looking to this marriage for the union of the two Crowns. The Queen must now come to a resolution about the Archduke Charles. She understands fully that a marriage with him is the sole means left to her of preserving her alliance with your Majesty, of resisting her enemies, and of preventing a rebellion. She detests the thought of it; and yet so strange is her position that she dares not encounter Parliament for fear her excuses may be accepted. The people have ceased to care whether she marries or remains single; they are ready to entail the Crown on the King and Queen of Scotland.

“Her hope at present is to throw Scotland into confusion with the help of the Duke of Chatelherault, who cannot endure that the House of Lennox should be preferred to the Hamiltons. She is frightening the Huguenots in France by telling them that if the Queen of Scots obtains the English Crown she will avenge her uncle’s death and assist the Catholics to extirpate them. She will temporize till she see how her tricks succeed. If she can save herself by any other means she will not marry.”¹

¹ “Por las Cartas de Londres, de viii. Junio, 1565”: *MS. Simancas*.

Mary
Stuart's
friends in
England.

The two players were not ill-matched, though for the present the Queen of Scots had the advantage. "The matter," said Sir Thomas Smith, "was not so suddenly done as suddenly it did break out; the practice was of an elder time. It was finely handled to make the Queen's Majesty a labourer for the restitution of the father and a sender in of the son."¹ Elizabeth had been outmanœuvred and had placed herself in a perilous dilemma. Half the Council had advised her to demand the extradition of Darnley and Lennox, and declare war if it was refused. She had rejected the bolder part of the advice; but she had allowed Throgmorton to promise Murray and his friends that if they interfered by force to prevent the marriage they should be supported by England; and if they rose in arms and failed, and if they called upon her to fulfil her engagements, she would have to comply and run all hazards, or she would justify the worst suspicions which the Scotch Protestants already entertained of her sincerity, and convert into enemies the only friends that she possessed among Mary Stuart's subjects.

In the first outburst of her anger she seemed prepared to dare everything. After the departure of Throgmorton from Scotland, the Queen of Scots sent Hay of Balmerinloch with a letter in which she protested with the most innocent simplicity that in all which she had done she had been actuated only by the purest desire to meet her dear sister's wishes; that she was alike astonished and grieved to hear that she had done wrong; but that as Elizabeth was dissatisfied she would refer the question once more to a commission; and on her own side she proposed the unus-

¹ Smith to Cecil, July 3: *French MSS. Rolls House.*

picious names of Murray, Maitland, Morton, and Glencairn.¹

Had Elizabeth complied with this suggestion she would have committed herself to an admission that a question existed, and that the Darnley marriage was not wholly intolerable. She had no intention of admitting anything of the kind. She replied with requiring Lennox and Darnley on their allegiance to return immediately to England; and the Queen of Scots' letter she answered only with a request that they might be sent home without delay.

Elizabeth
requires
Lennox and
Darnley to
return to
England.

Neither Lennox nor Mary expected such peremptory dealing. The order of return was short of a declaration of war, and some of those who knew Elizabeth best did not believe that war was coming; ² but Mary Stuart knew too well her own intentions to escape misgivings that the Queen of England might be as resolute as herself. When Randolph presented the letter with the message which accompanied it, she burst into tears; Lennox was silent with dismay; Darnley alone, too foolish to comprehend the danger, remained careless and defiant,³ and said shortly "he had no mind to return." Mary Stuart, as soon as she could collect herself, said she trusted that her good sister did not mean what she had written. Randolph replied that

¹ The Queen of Scots to the Queen of England, June 14: Keith.

² Paul de Foix to Catherine de Medici, June 18: Teulet, Vol. II.

³ A sad and singular horoscope had already been cast for Darnley. "His behaviour," Randolph wrote to Cecil, "is such that he is come in open contempt of all men that were his chief friends. What shall become of him I know not; but it is greatly to be feared he can have no long life amongst this people. The Queen being of better understanding, seeketh to frame and fashion him to the nature of her subjects; but no persuasion can alter that which custom hath made in him. He is counted proud, disdainful, and suspicious, which kind of men this soil of any other can least bear." Randolph to Cecil, July 1: *Cotton MSS. Calig. B. 10*. Printed in Keith.

she most certainly did mean it; and speaking plainly as his habit was, he added "that if they refused to return, and her Grace comforted them in so doing, the Queen his mistress had both power and will to be revenged on them, being her subjects."

From the Court Randolph went to Argyle and Murray, who had ascertained meanwhile that there was no time to lose; the Bishop of Dunblane had been sent to the Pope; Mary Stuart had obtained money from Flanders; she had again sent for Bothwell, and she meant immediate mischief. The two earls expressed their belief that "the time was come to put to a remedy." "They saw their sovereign determined to overthrow religion received, and sore bent against those that desired the amity with England to be continued, which two points they were bound in conscience to maintain and defend." They had resolved therefore "to withstand such attempts with all their power, and to provide for their sovereign's estate better than she could at that time consider for herself." They intended to do nothing which was not for their mistress's real advantage; Sir Nicholas Throgmorton had assured them of the Queen of England's "godly and friendly offer to concur with and assist them;" the Queen of England's interest was as much concerned as their own; and they "humbly desired the performance of her Majesty's promises:" they did not ask for an English army; if her Majesty would give them three thousand pounds they could hold their followers together, and would undertake the rest for themselves; Lennox and Darnley could be seized and "delivered into Berwick," if her Majesty would receive them.

To these communications Randolph replied with re

Randolph in Elizabeth's name encourages the Protestant noblemen to rebel.

newed assurances that Elizabeth would send them whatever assistance they required. He gave them the warmest encouragement to persevere; and as to the father and son whom they proposed to kidnap, the English Government, he said, "could not and would not refuse their own in what sort soever they came."¹

The Queen of Scots was not long in receiving intelligence of what the Lords intended against her. She sent a message to her brother requesting that he would meet her at Perth. As he was mounting his horse a hint was given him that if he went he would not return alive, and that Darnley and Ritzio had formed a plan to kill him. He withdrew to his mother's castle at Lochleven and published the occasion of his disobedience. Mary Stuart replied with a countercharge that the Earl of Murray had purposed to take her prisoner and carry off Darnley to England. Both stories were probably true: Murray's offer to Randolph is sufficient evidence against himself. Lord Darnley's conspiracy against the Earl was no more than legitimate retaliation. Civil war was fast approaching; and it is impossible to acquit Elizabeth of having done her best to foster it. Afraid to take an open part lest she should have an insurrection on her own hands at home, she was ready to employ to the uttermost the assistance of the Queen of Scot's own subjects, and she trusted to diplomacy or accident to extricate herself from the consequences.

On receiving Randolph's letter, which explained with sufficient clearness the intentions of the Protestant noblemen, she not only did not find fault with the engagements to which he had committed her, but she

¹ Randolph to Cecil, July 2 and July 4: *Cotton MSS. Calig. B. 10*. Printed in Keith.

directed him under her own hand to assure them of her perfect satisfaction with the course which they were preparing to pursue. She could have entertained no sort of doubt that they would use violence ; yet she did not even conceal her approbation under ambiguous or uncertain phrases. She said that they should find her "in all their just and honourable causes regard their state and continuance ;" "if by malice or practice they were forced to any inconveniency, they should find no lack in her ;" she desired merely that in carrying out their enterprise they would "spend no more money than their security made necessary, nor less which might bring danger."¹

As the collision drew near, both parties prepared for it by endeavouring to put themselves right with the country. No sooner was it generally known in Scotland that the Queen intended to marry a Catholic than the General Assembly rushed together at Edinburgh. The extreme Protestants were able to appeal to the fulfilment of their predictions of evil when Mary Stuart was permitted the free exercise of her own religion. Like the children of Israel on their entrance into Canaan, they had made terms with wickedness : they had sown the wind of a carnal policy and were now reaping the whirlwind. A resolution was passed —
July.
Measures of
the General
Assembly.
to which Murray, though he was present, no longer raised his voice in opposition — that the sovereign was not exempt from obedience to the law of the land, that the mass should be put utterly away, and the reformed service take the place of it in the royal chapel.

Mary Stuart had been described by Randolph as so much changed that those who had known her when

¹ Elizabeth to Randolph, July 10: Printed in Keith.

she was under Murray's and Maitland's tutelage were astonished at the alteration ; manner, words, features, all were different ; in mind and body she was said to be swollen and disfigured by the tumultuous working of her passions.

So perhaps she may have appeared in Randolph's eyes ; and yet the change may have been more in Randolph's power of insight than in the object at which he looked. Never certainly did she Skill and energy of Mary Stuart. show herself cooler or more adroit than in her present emergency. She replied to the Assembly with returning from Perth to Edinburgh ; and as a first step towards recovering their confidence she attended a Protestant sermon. To the resolution of the General Assembly she delayed her answer, but she issued circulars protesting that neither then nor at any past time had she entertained a thought of interfering with her subjects' religion ; the toleration which she had requested for herself she desired only to extend to others ; her utmost wish had been that her subjects might worship God freely in the form which each most approved.¹

A Catholic sovereign sincerely pleading to a Protestant Assembly for liberty of conscience might have been a lesson to the bigotry of mankind ; but Mary Stuart was not sincere ; and could the Assembly have believed her they would have thought her French teaching was bearing fruits more deadly than Popery itself. The Protestant respected the Catholic as an honest worshipper of something, though that something might be the devil. "Liberty of conscience" was the crime of the Laodiceans, which hell and heaven alike rejected.

¹ Circular by the Queen, July 17.

The attendance of Mary Stuart at sermon produced as little effect on the Congregation as Elizabeth's candles and crucifixes on the hatred of the English Papists. The elders of the Church dispersed; Argyle, Murray, and their friends withdrew to Stirling; and on the 18th of July they despatched a messenger to Elizabeth with a bond, in which they pledged themselves to resist all attempts either to restore the Catholic ritual or to dissolve the English alliance. From their own sovereign they professed to hope for nothing but evil. They looked to the Queen of England "as under God protectress most special of the professors of religion;" and they thanked her warmly for the promises of help on which it was evident that they entirely relied.¹

They relied on those promises; and to have doubted them would have been nothing less than a studied insult. The English ambassador was ordered a second time, and more imperiously, to command Lennox and Darnley to go back to England; while avowedly by the direct instructions of his mistress he laid her thanks and wishes before the Lords in a formal and written address.²

RANDOLPH TO THE LORDS OF SCOTLAND.³

July, 1565.

"Right Honourable and my very good Lords, — It is not out of your remembrance that Sir Nicholas

¹ "Understanding by your Highness's ambassador, Sir N. Throgmorton, and also by the information of your Majesty's servant Master Randolph, the good and gracious mind which your Majesty with continuance beareth, to the maintenance of the Gospel and us that profess the same," &c. — The Lords in Stirling to the Queen of England, July 18: Keith, Vol. II. p. 329.

² It is necessary, at the risk of being tedious, to dwell on these particulars of Elizabeth's conduct. Each separate promise was as a nail which left a rent in her reputation when she endeavoured to free herself.

³ *Lansdowne MSS.* 8.

Throgmorton being at Stirling, ambassador for the Queen's Majesty my mistress to the Queen's Majesty your sovereign, it was declared at good length both to her Grace's self and also to you of her honourable Council, what misliking the Queen my mistress hath that the Lord Darnley should join marriage with the Queen your sovereign, for divers and weighty reasons; of which some were there presently rehearsed, others for great and weighty respects left unspoken, until occasion better serve to utter her Majesty's griefs for the strange manner of dealing that hath been used towards her, divers ways and by divers persons, contrary to that expectation she had. The Queen your sovereign having answered that she would in no wise alter her determination, the Queen my mistress commanded this resolution and answer to be propounded in Council, and to be considered according to the weight thereof, being touched thereby as well in honour as that it was against the repose and tranquillity of her Majesty's realm. And her Majesty's Council remaining in that mind that before they were of — which is that divers ways it must needs be prejudicial to the amity of the two countries, that it tendeth greatly to the subversion of Christ's true religion received and established in them both, they have not only received that with content which your lordships have subscribed with your hands, but also have become suitors to your Majesty that she will provide for her own surety and the surety of the realm against all practices and devices, from wheresoever they be intended.

“And forasmuch as nothing is more needful for both the realms than the continuance of a good and perfect amity between them and those whose hearts

Randolph
again prom-
ises the
Lords as-
sistance
from Eng-
land.

God hath united in one true and perfect doctrine, they have also desired that it will please her Majesty that she will have consideration of the Protestants and true professors of religion in this realm of Scotland, that Christ's holy word may be continued amongst them, and the amity remain betwixt both the countries. And because of all the apparent troubles that may ensue, as well for the subversion of Christ's word in both the countries as also for the breach of amity, the Earl of Lennox, and his son the Lord Darnley, are known to be the authors, and many of their practices, as well in England, Scotland and further parts, to that end discovered, it pleased the Queen my mistress to begin at the root and ground of all these mischiefs, and thereof hath presently sent her express commandment to them both, charging them to leave the realm of Scotland and repair unto her presence as they will avoid her Majesty's indignation; in refusing of which they shall give further occasion for her to proceed against them and their assisters than willingly she would.

“And to the intent it may be further known what the Queen's my mistress's purpose is if they do contrary to this charge of her Majesty, I am commanded to assure all persons here that the Queen my mistress meaneth to let the Queen your sovereign well understand by her deeds how she can measure this dishonourable kind of dealing and manner of proceeding; and according to the effect of such answers as shall be given unto me, as well from the Queen's Majesty your sovereign as from the Earl of Lennox and his son, and what thereof shall follow, her Majesty meaneth to let it manifestly appear unto the world how to use her towards such as so far forget themselves.

“To give also declaration of the tender care and

good consideration the Queen my sovereign has over all those of this nation that mind to keep the realm without alteration of the religion received and will not neglect her Majesty's friendship, I am commanded to assure all such as persist therein that it is fully resolved and determined to concur with them and assist them as either need or occasion shall press them.

"This, my Lords, being the effect of that which I know to be my mistress's will and express commandment, given unto me to communicate unto your lordships as I saw cause, and knowing now the time most fit for that purpose, I thought good to send this same to you in writing."

In strict conformity with these promises the Earl of Bedford returned to his charge on the Border; the Earl himself was under the impression that if the Lords were in extremity he was to enter Scotland; and so satisfied and so confident was Murray that he wrote to Bedford on the 22d of July "as to one to whom God had granted to know the subtle devices of Satan," telling him that the force on which the Queen of Scots most relied lay among the Maxwells, the Humes, and the Kers of the Border, and begging him, as if he was already an auxiliary in the field, "to stay off their power."¹

Randolph presented his second demand for the return of the two noblemen to England. He spoke first to Mary Stuart, who, half frightened, half defiant, found herself on the edge of a conflict to which her own resources were manifestly inadequate, while she could not but feel some uncertainty after all, how far she could rely on the secret promises of her English

¹ Murray to Bedford, July 22: Keith.

friends. She complained passionately that she had been trifled with; she spoke of Henry the Eighth's will, which she dared Elizabeth to produce, in obvious ignorance that had Elizabeth consented, her hopes of a peaceable succession would be gone forever. Randolph told her she was "abused." She threatened that if the English Parliament meddled with the rights either of herself or of Darnley, she would "seek friends elsewhere," and would not fail to find them.

Randolph knew Mary well and knew her manner. He saw that she was hesitating, and he once more attempted expostulation. "The Queen of England," he truly said, "had been her kindest friend. She might have compelled her to ratify the Treaty of Edinburgh; but she had passed it over; she had defended her claims when the Scotch succession had not another supporter; unless she had taken the crown from off her own head and given it to her, she could have done no more than she had done."

Randolph's
expostulation
with
Mary Stuart.

Mary appeared to be moved. She asked if nothing could induce Elizabeth to allow her marriage with Lord Darnley. Randolph replied that after the attitude which she had assumed, the conditions would be stringent. A declaration would have to be made by herself and the Scotch Parliament that she made no pretensions to the English crown during the life of Elizabeth or her children; she must restore to her Council the Protestant noblemen with whom she had quarrelled; and she must conform¹ to the religion established by law in Scotland.²

¹ It is interesting to observe how the current of the Reformation had swept Elizabeth forward in spite of herself.

² "Qu'elle entretienne la religion qui est aujourd'hui au Royaulme, et en ce faisant recoyve, en sa bonne grace, et en leur premier estat ceulx qu'elle a aliéné d'elle; et qu'elle luy face declaration, autorisée par son Parlement

It was to ask Mary Stuart to sacrifice ambition, pride, revenge — every object for which she was mating herself with the paltry boy who was the cause of the disturbance. She said “she would make no merchandize of her conscience.” Randolph requested in Elizabeth’s name that she would do no injury to the Protestant lords who were her “good subjects.” She replied that Elizabeth might call them “good subjects;” she had found them bad subjects, and as such she meant to treat them.

The turn of Lennox and Darnley came next. The ambassador communicated Elizabeth’s commands to them, and demanded a distinct answer whether they would obey or not. Lennox, to whom age had taught some lessons of moderation, replied that he was sorry to offend; but that he might not and durst not go. He with some justice might plead a right to remain; for he was a born Scot and was living under his first allegiance. Darnley, like a child who has drifted from the shore in a tiny pleasure boat, his sails puffed out with vanity, and little dreaming how soon he would be gazing back on England with passionate and despairing eyes, replied “that he acknowledged no duty or obedience save to the Queen of Scots whom he served and honoured;” “and seeing,” he continued, “that the other your mistress is so envious of my good fortune, I doubt not but she may also have need of me, as you shall know within few days: wherefore to return I intend not; I find myself very well where I am, and so I purpose to keep me; and this shall be for your answer.”

“You have much forgotten your duty, sir, in such

qu'elle ne pretend rien au Royaulme d'elle, ne de sa posterité. — *Analyse d'une dépêche de M. de Foix au Roy, August 12: Teulet, Vol. II.*

despiteful words," Randolph answered; "it is neither discreetly spoken of you nor otherwise to be answered by me than that I trust to see the wreck and overthrow of as many as are of the same mind."

So saying the stout servant of Elizabeth turned on his heel "without reverence or farewell."¹

Elizabeth's attitude and Randolph's language were as menacing as possible. But experience had taught Mary Stuart that between the threats and the actions of the Queen of England there was always a period of irresolution; and that with prompt celerity she might crush the disaffection of Scotland while her more dangerous enemy was making up her mind. She filled Edinburgh with the retainers of Lennox and Huntly; she summoned Murray to appear and prove his accusations against Darnley under pain of being declared a traitor; she sent a message through De Silva to Philip that her subjects had risen in insurrection against her, with the support of the Queen of England, to force her to change her religion;² and interpreting the promise of three months' delay which she had made to Throgmorton as meaning a delay into the third month, she resolved to close one element of the controversy and place the marriage itself beyond debate. On the evening of the 28th of July, Edinburgh was informed by trumpet and proclamation that the Queen of Scots having determined to take to herself as her husband Henry Earl of Ross and Albany, the said Henry was thenceforth to be designated King of Scotland, and in all acts and deeds his name would be associated with her own.³ The crowd listened in silence.

¹ Randolph to Cecil, July 21: *Cotton MSS., Calig. B. 10.*

² De Silva to Philip, July 28: *MS. Simancas.*

³ The title was a mere sound. The crown matrimonial could be conferred only by Act of Parliament; nor would Mary Stuart share the reality of her

A single voice cried "God save his Grace!" but the speaker was Lennox.

The next day, July the 29th, being Sunday, while the drowsy citizens of Edinburgh were still in their morning sleep, Mary Stuart became the wife of Darnley. The ceremony took place in the royal chapel just after sunrise. It was performed by a Catholic priest and with the usual Catholic rites; the Queen for some strange reason appearing at the altar in a mourning dress of black velvet, "such as she wore the doleful day of the burial of her husband." Whether it was an accident — whether the doom of the House of Stuart haunted her at that hour with its fatal foreshadowings — or whether simply for a great political purpose she was doing an act which in itself she loathed, it is impossible to tell; but that black drapery struck the spectators with a cold, uneasy awe.

But such dreamy vanities were soon forgotten. The deed was done which Elizabeth had forbidden. It remained to be seen to what extremity Elizabeth in her resentment would be provoked. The Lords had been long waiting at Stirling for a sign from Berwick; but no sign came, and when the moment of extremity arrived Bedford had no definite orders. They remembered 1559, when they had been encouraged by similar promises to rebel, and when Elizabeth had trifled with her engagements so long and so dangerously. Elizabeth had given her word; but it was an imperfect security; and the uncertainty produced its inevitable effect in disheartening and dividing them. "Though your intent be never so good to us," Ran-

power with a raw boy whose character she imperfectly knew. But Darnley was impatient for the name of king; "He would in no case have it deferred a day," and the Queen was contented to humour him.

dolph wrote to Leicester on the 31st of July, "yet we fear your delay that our ruin shall prevent your support; when council is once taken nothing is so needful as speedy execution: upon this we wholly depend; in her Majesty's hands it standeth to save our lives or suffer us to perish; greater honour her Majesty cannot have than that which lieth in her power to do for us."¹

Randolph calls on Elizabeth to keep her promise.

While the Congregation were thus held in suspense, Mary Stuart was all fire, energy, and resolution. She understood at once that Elizabeth was hesitating; she knew that she had little to fear from Argyle and Murray until they were supported in force from England; and leaving no time for faction to disintegrate her own supporters, or for the Queen of England to make up her mind, she sent letters to the noblemen on whom she could rely, desiring them to meet her in arms at Edinburgh on the 9th of August.

Elizabeth, as post after post came in from Scotland, lost her breath at the rapidity of the Queen of Scots' movements; and resolution became more impossible as the need of it became more pressing. On receiving the news that the marriage was actually completed, she despatched Tamworth, a gentleman of the bedchamber, to assure the Queen of Scots that whatever might be pretended to the contrary she had throughout been sincerely anxious to support her interests. The Queen of Scots had not given her the credit which she deserved, and was now "imagining something else in England to content her fancy, as vain persons sometimes would." Leaving much to Tamworth's discretion, she bade him nevertheless let the Queen of Scots see that her present in-

Mission of Tamworth.

¹ Wright's *Elizabeth*, Vol. I.

tentions were thoroughly understood. "She was following the advice of those who were labouring to extirpate out of Scotland the religion received there;" the Protestants among her own subjects were to be destroyed "to gain the favour of the Papists in England;" "so as with the aid that they would hope to have of some prince abroad, and from Rome also upon pretence of reformation in religion, she might when she should see time attempt the same that she did when she was married to France." It was not for Elizabeth to say what might happen in Scotland; "but for any other device that the Queen of Scots might be fed withal, she might be assured before God she would find all designs, consultations, intelligences, and advices, from wherever they might come to her, far or near, to be vain and deceitful." Let her relinquish these idle imaginings, let her restore Murray to the Council and undertake to enter into no foreign alliance prejudicial to English interests, and she might yet regain the confidence of her true friends.

Had Tamworth's instructions gone no further they would have been useless without being mischievous; August.
Weakness of
Elizabeth. but a further message betrayed the fatal irresolution to which Elizabeth was yielding. A fortnight previously she had required the Queen of Scots to abandon her own creed; she now condescended to entreat that if her other requests were rejected the Scotch Protestants might at least be permitted to use their own religion without molestation.¹ She might have frightened Mary by a demonstration of force as prompt as her own. To show that she saw through her schemes, yet at the same time that she dared not venture beyond a feeble and hesitating protest, could but

¹ Instructions to Tamworth, August 1: *MS. Rolls House.*

make the Queen of Scots desperate of further concealment, and encourage her to go forward more fearlessly than ever.

"Mary Stuart," when Tamworth came into her presence, "gave him words that bit to the quick." To the Queen of England's suspicions she said she would reply with her "own lawful demands." "The Queen of England spoke of imaginations and fancies;" "she was sorry her good sister thought so disdainfully of her as she would meddle with simple devices. If things went so that she was driven to extremities and practices, she would make it appear to the world that her devices were not to be set at so small a price." Playing on Elizabeth's words with a straightforward but irritating irony, she said "that by God's grace it should appear to the world that her designs, consultations, and intelligences would prove as substantial and no more vain and deceitful than such as her neighbours themselves had at any time taken in hand;" while, as to Murray's restoration, she had never yet meddled between the Queen of England and her subjects; but now, "induced by her good sister's example," "she would request most earnestly for the release and restoration to favour" of her mother-in-law, the Lady Margaret, Countess of Lennox.¹

Had Philip of Spain been at Mary's shoulder, he would have advised her to spare her sarcasms till an armada was in the Channel or till Elizabeth was a prisoner at her feet. As soon as she had made sure of Darnley, he would have recommended her to omit no efforts for conciliation. She need not have relinquished one emotion of hatred or one aspiration for revenge; but she would have been taught to wait upon

¹ Answer of the Queen of Scots to Tamworth: Printed in Keith.

time to soothe down the irritation which she had roused, to cajole with promises, and to compel Elizabeth by the steady if slow pressure of circumstances to give way step by step.

But Mary Stuart was young and was a woman. Her tongue was ready and her passions strong. Philip cared sincerely for Romanism, Elizabeth cared for English liberty, the Earl of Murray cared for the doctrines of the Reformation; Mary Stuart was chiefly interested in herself, and she was without the strength of self-command which is taught only by devotion to a cause. So confident was she that in imagination she had already seated herself on Elizabeth's throne. To the conditions of friendship offered by Tamworth she replied in language which could scarcely have been more peremptory had she entered London at the head of a victorious army. Not condescending to notice

what was demanded of herself, she required Elizabeth immediately to declare her by Act of Parliament next in the succession; and failing herself and her children, to entail the Crown on Lady Margaret Lennox and her children, "as the persons by the law of God and nature next inheritable." The Queen of England should bind herself "neither to do nor suffer to be done either by law or otherwise" anything prejudicial to the Scottish title; to abstain in future from all practices with subjects of the Scottish Crown; to enter no league and contract no alliance which could affect the Queen of Scots' fortunes unfavourably. On these terms, but on these alone, she would consent to leave Elizabeth in undisturbed possession during her own or her children's lifetime; she would abstain from encouraging the English Catholics to rise in rebellion in her behalf, and from

Conditions
demanded by
the Queen of
Scots.

inviting an invasion from Spain or France;¹ and she condescended to promise — to throw dust in the eyes of the Protestants in both countries — although she was receiving the support of the Pope and seeking the support of the King of Spain in the sole interests of Romanism — that in the event of herself and her husband succeeding to the throne of England, the religion established there by law should not be interfered with.

An answer every sentence of which must have stung Elizabeth like a whip-lash, might have for the moment satisfied Mary Stuart's passion; but her hatred of her sister of England was passing into contempt, and she believed she might trample upon her with impunity.

Tamworth, having received his message, desired to return with it to England. He applied for a passport, which was given him signed by Darnley as King of Scotland; and Elizabeth had forbidden him to recognize Darnley in any capacity but that of the Queen's husband. He desired that the wording might be changed: his request was refused. He requested that a guard might escort him to the Border: it could not be granted. He set out without attendance and without a safe-conduct: he was arrested and carried prisoner to Hume Castle.

The Lords at Stirling had been already so perplexed by Elizabeth's timidity that they had broken up and dispersed. Argyle and Murray retired to the western Highlands, and sent an earnest message that unless they could be immediately relieved they would be overthrown.² The arrest of Tamworth added to their dismay. Yet in spite of past experience they could

¹ Offer of the King and Queen of Scotland, by Mr. Tamworth, August, 1565: *Scotch MSS. Rolls House.*

² Tamworth to Cecil and Leicester, August 10: *MS. Ibid*

not believe Elizabeth capable of breaking promises so emphatically and so repeatedly made to them. They wrote through Randolph that they were still at the Queen of England's devotion. They would hold out as long as their strength lasted; but it was already tasked to the uttermost, and if left to themselves they would have to yield to superior force.

The catastrophe came quicker than they anticipated. The friends of the Congregation were invited by circulars to meet at Ayr on the 24th of August. On the 25th the Queen of Scots — after a tempestuous interview with Randolph, who had demanded Tamworth's

Mary Stuart
takes the
field.

release — mounted her horse and rode out of Edinburgh at the head of 5000 men to meet her enemies in the field. Darnley, in gilt armour, was at her side. She herself carried pistols in hand and pistols at her saddlebow. Her one peculiar hope was to encounter and destroy her brother, against whom, above and beyond his political opposition, she bore an especial and unexplained animosity.¹

¹ "I never heard more outrageous words than she spoke against my Lord of Murray. She said she would rather lose her crown than not be revenged upon him. She has some further cause of quarrel with him than she cares to avow." — Randolph to Cecil, August 27: *MS. Rolls House*. Shortly after, Randolph imagined that he had discovered the "further cause." "The hatred conceived against my Lord of Murray is neither for his religion nor yet for that she now speaketh — that he would take the crown from her, as she said lately to myself — but that she knoweth that he knoweth some such secret fact, not to be named for reverence sake, that standeth not with her honour, which he so much detesteth, being her brother, that neither can he show himself as he hath done, nor she think of him but as of one whom she mortally hateth. Here is the mischief, this is the grief; and how this may be solved and repaired it passeth man's wit to consider. This reverence, for all that he hath to his sovereign, that I am sure there are very few that know this grief; and to have this obloquy and reproach of her removed, I believe he would quit his country for all the days of his life." — Randolph to Cecil, October 13: *MS. Ibid.*

The mystery alluded to was apparently the intimacy of Mary Stuart with Rizzio, which was already so close and confidential as to provoke calumny.

With the money sent her from abroad she had contrived to raise six hundred "harquebussmen," whom the half-armed retainers of the Lords could not hope to engage successfully. Passing Linlithgow and Stirling she swept swiftly round to Glasgow, and cut off the retreat of the Protestants into the western hills. A fight was looked for at Hamilton, where "a hundred gentlemen of her party determined to set on Murray in the battle, and either slay him or tarry behind lifeless."¹

Outnumbered — for they had in all but 1300 horse — and outmanœuvred by the rapid movements of the Queen, the Protestants fell back on Edinburgh, where they expected the citizens to declare for them. On the last of August, six days after Mary Stuart had left Holyrood, Chatelherault, Murray, Glencairn, Rother, Boyd, Kirkcaldy, and a few more gentlemen, rode with their servants into the West Port, and sending a courier to Berwick with a pressing en-
September.
The Lords in
Edinburgh.
 treaty for help, they prepared to defend themselves. But the Calvinist shopkeepers who could be so brave against a miserable priest, had no stomach for a fight with armed men. The Queen was coming fast behind them like an avenging fury; and Erskine, who was

In the face of Randolph's language it is difficult to say for certain that Mary Stuart had never transgressed the permitted limits of propriety; yet it is more likely that a person so careless of the opinions of others, and so warm and true in her friendships, should have laid herself open to remark through some indiscretion, than that she should have seriously compromised her character. It seems certain that Murray intended to have hanged Rizzio. Paul de Foix asked Elizabeth for an explanation of the Queen of Scots' animosity against her brother: —

"Elle s'estant ung peu teue, et secoué sa teste, me respondit que c'estoit pour ce que la Royne d'Escosse avoit esté informé que le Comte de Murray avoit voullu pendre ung Italien nommé David qu'elle aymeroit et favorisoit, luy donnant plus de credit que ses affaires et honneur ne devoient." — Paul de Foix au Roy: Teulet, Vol. II.

¹ Randolph to Cecil, September 4: *MS. Rolls House*.

inclining to the royal side, began to fire on the Lords from the castle. "In the town they could find neither help nor support from any one;" and the terrified inhabitants could only entreat and even insist that they should depart. A fortnight before, a little money and a few distinct words from England would have sufficed to save them. Mary Stuart's courage and Elizabeth's remissness had by this time so strengthened the party of the Queen that "little good could now be done without greater support than could be in readiness in any short time." The Lords could only retire towards the Border and wait Elizabeth's pleasure. "What was promised," Randolph passionately wrote to Cecil, "your honour knoweth. Oh that her Majesty's mind was known! If the Earl of Bedford have only commission to act in this matter, both Queens may be in one country before long. In the whole world if there be a more malicious heart towards the Queen my sovereign than hers that here now reigneth, let me be hanged at my home-coming or counted a villain forever."¹

Randolph
prays Eliza-
beth to
declare her-
self.

Mary meanwhile had reëntered Edinburgh, breathing nothing but anger and defiance. Argyle was in his own Highlands wasting the adjoining lands of Athol and Lennox; but she scarcely noticed or cared for Argyle. The affection of a sister for a brother was curdled into a hatred the more malignant because it was unnatural. Her whole passion was concentrated on Murray, and after Murray on Elizabeth.

The day before she had left Holyrood for the west an Englishman named Yaxlee had arrived there from Flanders. This person, who has been already mentioned as in the service of Lady Lennox, had been em-

¹ Randolph to Cecil, September 4: *MS. Rolls House*,

ployed by her as the special agent of her correspondence with the continental courts: Lady Lennox being now in the Tower, Yaxlee followed the fortunes of her son, and came to Scotland to place himself at the disposal of Mary Stuart. He was a conspirator of the kind most dangerous to his employers, vain, loud, and confident, fond of boasting of his acquaintance with kings and princes, and "promising to bring to a good end whatsoever should be committed to him." "The wiser sort" soon understood and avoided him. The Queen of Scots, however, allowed herself to be persuaded by her husband, and placed herself in Yaxlee's power. She told him all her schemes at home and all the promises which had been made to her abroad. The Bishop of Dunblane at Rome had requested the Pope to lend her twelve thousand men, and the Pope was waiting only for Philip's sanction and coöperation to send them.¹ She selected Yaxlee to go on a mission to Spain to explain her position, and to "remit her claims, prospects, and the manner of the prosecution thereof" to Philip's judgment and direction.

Yaxlee is
sent to
Spain.

Vain of the trust reposed in him the foolish creature was unable to keep his counsel. His babbling tongue revealed all that he knew and all that he was commissioned to do; and the report of it was soon in Cecil's hands.²

Philip would no doubt be unwilling to move.

¹ Capitulo de Cartas del Cardinal Pacheco á su Mag^d, 2 September, 1565: *MS. Simancas*.

² "Memoir of the proceedings of Francis Yaxlee," in Cecil's handwriting: *Cotton MSS. Calig. B. 10*. The name of the person is left blank in Cecil's manuscript, but a French translation of the memoir was found in Paris by M. Teulot, and on the margin is written, "Celluy qui est laissé en blanc c'est Yaxlee."

Philip, like Elizabeth, was fond of encouraging others to run into difficulties by promises which he repudiated if they were inconvenient; and in this particular instance Mary Stuart had gone beyond his advice, and had placed herself in a position against which the Duke of Alva had pointedly warned her. But the fears of the Spaniards for the safety of the Low Countries were every day increasing; they regarded England as the fountain from which the heresies of the continent were fed; and they looked to the recovery of it to the Church as the only means of restoring order in their own provinces.¹

Elizabeth was perfectly aware of the dangers which were thickening round her, and the effect was to end her uncertainty and to determine her to shake herself clear from the failing fortunes of the noblemen whom she had invited to rebel. They had halted at Dumfries, close to the Border, where Murray, thinking that "nothing worse could happen than an agreement while the Queen of Scots had the upper hand and they without a force in the field," was with difficulty keeping together the remnant of his party.² The Earl of Bedford, weary of waiting for instructions which never came, wrote at last half in earnest and half in irony to Elizabeth, to propose that she should play over again the part which she had played with Winter; he would himself enter Scotland with the Berwick garrison, and "her Majesty could afterwards seem to blame him for attempting such things as with the help of others he

¹ "Esta materia de Escocia y de aqui es de tanta importancia como se puede considerar; porque si este Reyno se reduxiese, parece que se quitará la fuente de los hereges de Flanders y de Francia, y aun las inteligencias de Alemania, que, como aqui, hay necesidad destas malas ayudas para sostenerse." — De Silva to Philip, August 20: *MS. Simancas*.

² Murray to Randolph, September 8: *MS. Rolls House*.

could bring about.”¹ But Elizabeth was too much frightened to consent even to a vicarious fulfilment of her promises. She replied that if the Lords were in danger of being taken, the Earl might cover their retreat into England; she sent him three thousand pounds which if he pleased he might place in their hands; but he must give them to understand precisely that both the one and the other were his own acts, for which she would accept neither thanks nor responsibility. “You shall make them perceive your case to be such,” she said, “as if it should appear otherwise your danger should be so great as all the friends you have could not be able to save you towards us.”²

Elizabeth determines to abandon Murray.

At times she seemed to struggle with her ignominy, but it was only to flounder deeper into distraction and dishonour. Once she sent for the French ambassador: she told him that the Earl of Murray and his friends were in danger for her sake and through her means; the Queen of Scots was threatening their lives; and she swore she would aid them with all the means which God had given, and she would have all men know her determination. But the next moment, as if afraid of what she had said, she stooped to a deliberate lie. De Foix had heard of the 3000*l.*, and had ascertained beyond doubt that it had been sent from the Treasury; yet when he questioned Elizabeth about it she took refuge behind Bedford, and swore she had sent no money to the Lords at all.³

“It fears me not a little,” wrote Murray on the 21st, “that these secret and covered pretendings of

¹ Bedford to Elizabeth: *MS. Rolls House.*

² Elizabeth to Bedford, September 12: *Scotch MSS. Rolls House.*

³ De Foix to the Queen-mother, September 18: Teulet, Vol. II.

the Queen's Majesty there, as matters now stand, shall never put this cause to such end as we both wish, but open declaration would apparently bring with it no doubt."¹ "If her Majesty will openly declare herself," said Bedford, "uncertain hearts will be determined again and all will go well."²

Paul de Foix himself, notwithstanding his knowledge of Elizabeth, was unable to believe that she would persevere in a course so discreditable and so dangerous. So easy it would be for her to strike Mary Stuart down, if she had half the promptitude of Mary herself, that it seemed impossible to him that she would neglect the opportunity. As yet the party of the Queen of Scots had no solid elements of strength: Ritzio was the chief councillor; the Earl of Athol was the general — "a youth without judgment or experience, whose only merit was a frenzied Catholicism."³ Catherine de Medici, who thought like De Foix, and desired to prevent Elizabeth from becoming absolute mistress of Scotland, sent over Castelnau de Mauvisière to mediate between the Queen of Scots and her subjects. But Mary Stuart understood better the temperament with which she had to deal; she knew that Elizabeth was thoroughly cowed and frightened, and that she had nothing to fear. She sent a message to Castelnau that she would allow neither France nor England to interfere between her and her revolted subjects; while her rival could only betake herself to her single resource in difficulty, and propose again to marry the Archduke.

The Arch-
duke once
more.

There was something piteous as well as laughable in

¹ Murray to Bedford, September 21: *Scotch MSS. Rolls House.*

² Bedford to Cecil: *M.S. Ibid.*

³ De Foix to the Queen-mother, September 18: Taulet, Vol. II.

the perpetual recurrence of this forlorn subject. She was not wholly insincere. When pushed to extremity she believed that marriage might become her duty, and she imagined that she was willing to encounter it. The game was a dangerous one, for she had almost exhausted the patience of her subjects, who might compel her at last to fulfil in earnest the hopes which she had excited. It would have come to an end long before had it not been that Philip, who was irresolute as herself, allowed his wishes for the marriage to delude him into believing Elizabeth serious whenever it was mentioned; while the desirableness of the Austrian alliance in itself, and the extreme anxiety for it among English statesmen, kept alive the jealous fears of the French. To De Silva the Queen appeared a vain, capricious woman, whose pleasure it was to see the princes of Europe successively at her feet; yet he too had expected that if her Scotch policy failed she would take the Archduke in earnest at last, and thus the value of the move was not yet wholly played away, and she could use his name once more to hold her friends and her party together.

As a matter of course when the Archduke was talked of on one side the French had their candidate on the other; and Charles the Ninth being no longer in question, Paul de Foix threw his interest on the side of Leicester. While the Queen of Scots was displaying the spirit of a sovereign and accomplishing with uncommon skill the first steps of the Catholic revolution, Elizabeth was amusing herself once more with balancing the attractions of her lover and the Austrian prince: not indeed that she any longer wished to marry even the favoured Lord Robert; "If she ever took a husband," she said to De Foix, "she would give him neither a

share of her power nor the keys of her treasury ; her subjects wanted a successor, and she would use the husband's services to obtain such a thing ; but under any aspect the thought of marriage was odious to her, and when she tried to make up her mind it was as if her heart was being torn out of her body."¹

Elizabeth's
private feel-
ings on her
marriage.

Yet Leicester was fooled by the French into a brief hope of success. He tried to interest Cecil in his cause by assuring him that the Queen would marry no one but himself ; and Cecil mocked him with a courteous answer, and left on record in a second table of contrasts with the Archduke his own intense conviction of Leicester's worthlessness.²

A ludicrous court calamity increased the troubles of the Queen and with them her unwillingness to declare war against the Queen of Scots. The three daughters of the Duke of Suffolk had been placed one after the other in the line of succession by Henry the Eighth. Lady Jane was dead ; Lady Catherine was dying from the effects of her long and cruel imprisonment ; the third, Lady Mary, had remained at the Court, and one evening in August, when the Scotch plot was thickening, got herself married in the palace itself, "by an old fat priest in a short gown," to Thomas Keys, the sergeant porter.³ Lady

Lady Mary
Grey and
the sergeant
porter.

¹ She said she was resolved — "Ne departir jamais à celuy qui seroit son mary ni de ses biens ni forces ni moyens, ne voulant s'ayder de luy que pour laisser successeur d'elle à ses subjectz ; mais quand elle pensoit de ce faire, il luy sembloit que l'on luy arrachast le cœur du ventre ; tant elle en estoit de son naturel eslonguée." — Paul de Foix to the Queen-mother August 22: Teulet, Vol. II.

² "De Matrimonio Reginae Angliæ." Reasons against the Earl of Leicester: *Burleigh Papers*, Vol. I.

³ This marriage was before mentioned by me as having taken place at the same time with that of Lady Jane Grey and Guildford Dudley. I was misled by Dugdale.

Mary was "the smallest woman in the Court," Keys was the largest man, and that seemed to have been the chief bond of connexion between them. The lady was perhaps anxious for a husband and knew that Elizabeth would keep her single till she died. Discovery followed before worse had happened than the ceremony. The burly sergeant porter was sent to the Fleet to grow thin on discipline and low diet; the Lady Mary went into private confinement; and both were only too eager to release each other and escape from punishment. The bishops were set to work by the Council to undo the knot, and found it no easy matter.¹ Elizabeth had a fresh excuse for her detestation of the Greys and a fresh topic on which to descant in illustration of the iniquities of matrimony.

De Mauvissière, meanwhile, undeterred by the Queen of Scots' message, had made his way to Edinburgh, but only to find that he had come upon a useless errand. The Earl of Bothwell had rejoined Mary Stuart in the middle of her triumph, "a man," said Randolph, "fit to be made a minister of any shameful act against God or man;"² and Bothwell's hatred for Murray drew him closer than ever to Mary's side. In the full confidence of success, and surrounded by persons whose whole aim was to feed the fire of her passion, she would listen to nothing which De Mauvissière could urge. In vain he warned her of the experience of France; in vain he reminded her of the siege of Leith and of the madness of risking a quarrel with her powerful and dangerous neighbour. "Scotland," she said, "should not be turned into a republic; she would

¹ *Privy Council Register*, August, 1565. Proceedings of Council on the marriage of the Lady Mary Grey: *MS. Domestic, Eliz., Rolls House Bishop of London to Cecil: MS. Ibid.*

² Randolph to Cecil, September 20: *Scotch MSS. Rolls House.*

sooner lose her crown than wear it at the pleasure of her revolted subjects and the Queen of England; instead of advising her to make peace, Catherine de Medici should have stepped forward to her side and assisted her to avenge the joint wrongs of France and Scotland; if France failed her in her extremity, grieved as she might be to leave her old allies, she would take the hand which was offered her by Spain; she would submit to England — never.”¹

From the moment when she had first taken the field, she had given her enemies no rest; she had swept Fife, the hotbed of the Protestants, as far as St. Andrew's. The old Laird of Lundy — he who had called the mass the mickle deil — was flung into prison, and his friends and his family had to fly for their lives. At the end of September she was pausing to recover breath at Holyrood before she made her last swoop upon the party at Dumfries. The Edinburgh merchants found her money, her soldiers with lighted matchlocks assisting them to unloose their purse strings. With October she would march to the Border, and in her unguarded moments she boasted that she would take her next rest at the gates of London.²

It was now necessary for Elizabeth to come to some resolution which she could avow — either to interfere at once or distinctly to declare that she did not mean to interfere. Cecil, according to his usual habit, reviewed the situation and drew out in form its leading features. The two interests at stake were religion and the succession to the Crown. For religion “it was doubtful how to meddle in another prince's controversy:” “so far as politic laws were

The position
is considered
by Cecil.

¹ Castelnau de Mauvissière to Paul de Foix, September: Teulet, Vol. II.

² Paul de Foix to the King of France, September 29: Ibid.

devised for the maintenance of the Gospel Christian men might defend it," "yet the best service which men could render to the truth was to serve God faithfully and procure by good living the defence thereof at His Almighty hand." The succession was at once more critical and more impossible to leave untouched. The Queen of Scots appeared to intend to exact her recognition as "second person" at the point of the sword. The unwillingness of the Queen of England to marry had unsettled the minds of her subjects, who "beholding the state of the crown to depend only on the breath of one person" were becoming restless and uneasy; and there were symptoms on all sides which pointed "towards a civil quarrel in the realm." The best remedy would be the fulfilment of the hopes which had been so long held out to the nation. If the Queen would marry all danger would at once be at an end. If she could not bring herself to accept that alternative, she might make the intrigues of the Scottish Queen with her Catholic subjects, the practising with Rome, the language of Darnley to Randolph, and the continued refusal to ratify the Treaty of Edinburgh, a ground for declaring war.¹

Every member of the Council was summoned to London. The suspected Earls of Cumber-
land, Westmoreland, and Northumberland
The Council assembles in London.
were invited to the Court, to remove them from the Border where they would perhaps be dangerous; and day after day the advisers of the Crown sat in earnest and inconclusive deliberation. A lucid statement was drawn up of Mary Stuart's proceedings from the day of Elizabeth's accession; every aggressive act on her part, every conciliatory movement of the Queen of

¹ Note in Cecil's hand, September, 1565: *MS. Rolls House.*

England were laid out in careful detail to assist the Council in forming a judgment; the history was brought down to the latest moment, and one only important matter seems to have been withheld — the unfortunate promises which Elizabeth had made to the Earl of Murray and his friends at a time when she believed that a demonstration in Scotland would be sufficient to frighten Mary Stuart, and that she would never be called on to fulfil them.

In favour of sending assistance to the Protestant noblemen it was urged that the Queen of Scots notoriously intended to overthrow the reformed religion and to make her way to the English throne; the title of the Queen of England depended on the Reformation; if the Pope's authority was restored she would no longer be regarded as legitimate. To sit still in the face of the attitude which the Queen of Scots had assumed was to encourage her to continue her practices; and it was more prudent to encounter an enemy when it could be done at small cost and in her own country than to wait to be overtaken at home by war and rebellion which would be a thousand times more dangerous and costly.

On the other hand, to defend the insurgent subjects of a neighbouring sovereign was a dangerous precedent. If Elizabeth was justified in maintaining the Scotch Protestants, the King of Spain might claim as fair a right to interfere in behalf of the English Catholics. The form which a war would assume and the contingencies which might arise from it could not be foreseen, while the peril and expense were immediate and certain.

The arguments on both sides were so evenly balanced that it was difficult to choose between them. The Council however, could it be proved that the

Queen of Scots was in communication with the Pope to further her designs on England, were ready to consider that "a great matter." The name of the Pope was detested in England by men who believed themselves to hold every shred of Catholic doctrine; the creed was an opinion; the Pope was a political and most troublesome fact with which under no circumstances were moderate English gentlemen inclined to have any more dealings. The Pope turned the scale; and the Council, after some ineffectual attempts to find a middle course, resolved on immediately confiscating the estates of the Earl of Lennox; while they recommended the Queen to demand the ratification of the Treaty of Edinburgh, to send a fleet into the Forth, and to despatch a few thousand men to Berwick to be at the disposal of the Earl of Bedford.¹

The Council
at first recom-
mend
war.

Had these steps been taken either Mary Stuart must have yielded, or there would have been an immediate war. But the Council, though consenting and advising a decided course, were still divided: Norfolk, Arundel, Winchester, Mason, and Pembroke were in favour in the main of the Queen of Scots' succession, and they regarded Calvinists and Calvinism with a most heartfelt and genuine detestation. Elizabeth in her heart resented the necessity of identifying herself with the party of John Knox, and her mood varied from day to day. After the resolution of the Council on the 24th, she spoke at length to the French ambassador in praise of Murray, who if his sister could but have known it, she said, was her truest friend—a noble, generous, and good man; she was fully aware

¹ Notes of the Proceedings in Council at Westminster, September 24. In Cecil's hand: *Cotton MSS., Calig. P 10.* *Scotch MSS. Rolls House.*

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¹ Notes of the Proceedings in Council at Westminster, September 24.
In Cecil's hand: *Cotton MSS., Calig. B 10. Scotch MSS. Rolls House.*
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of the Queen of Scots' designs against her; and when De Foix entreated her not to break the peace she refused to give him any assurances, and she told him that if France assisted Mary Stuart she should receive it as an act of hostility against herself.¹

But her energy spent itself in words, or rather both the Queen and those advisers whom she most trusted, even Sir William Cecil himself, oscillated backwards into a decision that the risk of war was too great to be encountered. The example might be fatal: the Catholic powers might interfere in England; the Romanists at home might mutiny; while to move an army was "three times more chargeable than it was wont to be, whereof the experience at Havre might serve for example."² Two days after their first resolution, therefore, the Council assembled again, when Cecil informed them "that he found a lack of disposition in the Queen's Majesty to allow of war or of the charges thereof;" she would break her word to the Lords whom she had encouraged into insurrection; but it was better than to run the risk of a conflagration which might wrap all England in its flames. The idea of forcible interference was finally abandoned. De Mauvissière remained at Edinburgh sincerely endeavouring to keep Mary within bounds; and Cecil himself wrote a private letter of advice to her which he sent by the hands of a Captain Cockburn. There were reasons for supposing that her violence might have begun to cool. Darnley had desired that the command of the army might be given to his father; the Queen of Scots

October.
The English
government
decides
finally not to
interfere.

¹ Paul de Foix to the King of France, September 29: Teulet, Vol. II.

² "Causes that move me not to consent presently to war, September 26. Note in Cecil's hand: *Cotton MSS., Calig. B. 10.*

had insisted on bestowing it upon Bothwell,¹ who had won her favour by promising to bring in Murray dead or alive ;² and Lennox was holding off from the Court in jealous discontent.

Cockburn, on his arrival at Holyrood, placed himself in communication with De Mauvissière. They waited on Mary together ; and expatiating on the ruinous effect of the religious wars of the Guises which had filled France with rage and hatred, they entreated her for her own sake to beware of the miserable example. The French ambassador told her that if she looked for aid from abroad she was deceiving herself ; France would not help her and would not permit the interference of Spain ; so that she would bring herself " to a hard end." Cockburn " spoke his mind freely to her to the same effect," and " told her she was in great danger."³

Mary Stuart " wept wondrous sore ;" but construing Elizabeth's unwillingness to declare war into an admission of her own strength, she was deaf to advice as she had been to menace. She disbelieved De Mauvissière, and trusted soon to hear from Yaxlee that the Spanish fleet was on its way to the English Channel ; at least she would not lose the chance of revenge upon her brother : " she said she could have no peace till she had Murray's or Chatelherault's head."⁴

A few hundred men from Berwick would probably have ended her power of so gratifying herself ; yet on the other hand it might have been a spark to explode

¹ Randolph, speaking of Mary Stuart's relation with Bothwell at this time, says — " I have heard a thing most strange, whereof I will not make mention till I have better assurance than now I have." — Randolph to Cecil, October 13: *MS. Rolls House*.

² Cockburn to Cecil, October 2: *MS. Ibid*.

³ *Ibid*.

⁴ Randolph to Cecil, October 5: *Scotch MSS. Rolls House*.

an insurrection in England; and Elizabeth preferred to hold aloof with her arm half raised — wishing yet fearing to strike — and waiting for some act of direct hostility against herself. As far as the peace of her own country was concerned her policy was no doubt a prudent one; but it was pursued at the expense of her honour; it ruined for the time her party in Scotland; and it was an occasion of fresh injury to the fugitives at Dumfries.

As soon as Murray with his few dispirited friends had reached the Border he despatched Sir Robert Melville to London to explain his situation and to request in form the assistance which had been promised him. Elizabeth assured Melville that she was sorry for their condition. She bade him return and tell Murray that she would do her very best for himself and his cause; but she could not support him by arms without declaring war against the Queen of Scots, and she could not declare war “without just cause.” If the Queen of Scots therefore were to offer him “any tolerable conditions” she would not have him refuse; “if on the other hand the indignation of the Queen was so cruelly intended as he and his companions could obtain no end with preservation of their lives, her Majesty, both for her private love towards those that were noblemen, and of her princely honour and clemency towards such as were tyrannically persecuted, would receive them into her protection, save their persons and their lives from ruin, and so far would give them aid and succour;” she would send a commissioner to Scotland to intercede with the Queen, “and with him also an army to be used as her Majesty should see just occasion given to her.”¹

Elizabeth
again mis-
leads the
Lords.

¹ Answer to Robert Melville, October 1: *Scotch MSS. Rolls House.*

The Lords had become "desperate of hope and as men dismayed;" they had repented bitterly of "having trusted so much to England:"¹ Chatelherault, Glencairn, Kirkaldy — all in fact save Murray — desired to make terms with Mary, and were feeling their way towards recovering her favour at the expense of the Queen of England, whom they accused of betraying them. When Melville returned with Elizabeth's answer it was interpreted into a fresh promise of interference in their behalf, not only by the Lords, whom anxiety might have made sanguine, but by the bearer of the message to whom Elizabeth had herself spoken. They immediately recovered their courage, broke off their communications with the Queen of Scots, and prepared to continue their resistance.

Elizabeth would have done better if she had spoken less ambiguously. Mary Stuart, who had paused to ascertain what they would do, set out at once for the Border with Athol, Bothwell, and a motley force of 18,000 men. She rode in person at their head in steel bonnet and corselet, "with a dagg at her saddle-bow,"² declaring that "all who held intercourse with England should be treated as enemies to the realm;" while Darnley boasted that he was about "to be made the greatest that ever reigned in the isle of Britain."³ Ritzio was still the presiding spirit in Mary's council chamber. "You may think," wrote Randolph, "what the matter meaneth that a stranger and a varlet should have the whole guiding of the Queen and country."⁴ The army was but a confused crowd: of loyal friends

¹ Bedford to Cecil, October 5: *Scotch MSS. Rolls House.*

² Randolph to Cecil, October 13: *MS. Ibid.*

³ Randolph to Leicester, October 18: *MS. Ibid.*

⁴ *MS. Ibid.*

the Queen could really count on none but Bothwell, young Athol, and perhaps Huntly; "the rest were as like to turn against her as stand by her." She perhaps trusted to some demonstration from Berwick to kindle them into enthusiasm through their patriotism; but Elizabeth disappointed equally both her enemies and her friends; she would give no excuse to the Queen of Scots to complain that England had broken the peace. The "few hundreds" with whose assistance the Lords undertook to drive their sovereign back to Edinburgh were not forthcoming; the army more than half promised to Melville was a mere illusion; and Bedford was confined by his orders to Carlisle, where he was allowed only to receive Murray and his party

Murray and
his friends
fly to
England.

as fugitives: they had now therefore no resource except to retreat into England; the Queen of Scots, following in hot pursuit, glared across the frontier at her escaping prey, half tempted to follow them and annihilate the petty guard of the English commander:¹ but prudence for once prevailed; she halted and drew back.

So ended the insurrection which had been undertaken at Elizabeth's instigation and mainly in Elizabeth's interests. Having failed to prevent the catastrophe, she would gladly now have heard no more of it; but she was not to escape so easily. Even among her own subjects there were some who dared to speak unpalatable truths to her. Bedford, who had been sent to the north with an army which he believed that he was

Bedford re-
monstrates.

to lead to Edinburgh, wrote in plain, stern terms to the Queen herself "that the lords,

¹ "A few hundred men would have kept all right. I fear they will break with us from words which she has used, and we are all unprovided." — Bedford to Cecil, October 13: *Scotch MSS. Rolls House.*

in reliance upon her Majesty's promise, had stood out against their sovereign, and now knew not what to do ;"¹ while to Cecil, not knowing how deeply Cecil was responsible for the Queen's conduct, he wrote in serious sorrow. In a previous letter he had spoken of "the Lords of the Congregation," and Elizabeth had taken offence at a term which savoured of too advanced a Protestantism.

"The poor noblemen," he now said, "rest so amazed and in so great perplexity they knew not what to say, do, or imagine. My terming them Lords of the Congregation was but used by me because I saw it received by others ; for that it is not plausible I shall omit it henceforth, wishing from my heart the cause was plausibly received, and then for terms and names it should be no matter. The Earl of Murray I find constant and honourable, though otherwise sore perplexed, poor gentleman, the more the pity. As her Majesty means peace we must use the necessary means to maintain peace ; albeit I know that the Queen useth against the Queen's Majesty our sovereign all such reproachful and spiteful words as she can ; besides her practices with foreign realms, which her Majesty's father I am sure would have thought much of. Yet as her Majesty winketh at the same, I must know what I am to do, whether in dealing with the wardens on the Border I am to recognize commissions signed by the Lord Darnley as King of Scotland."²

Randolph, ashamed and indignant at the deception of which he and Throgmorton had been the instru-

¹ Bedford to the Queen, October 13: *Scotch MSS. Rolls House.*

² Bedford to Cecil, October 13 and October 26: *MS. Ibid.*

ments, insisted "that the Queen of Scots meant evil and nothing but evil," and that however long she was borne with she would have to be brought to reason by force at last. "You, my lord," he wrote Randolph appeals to Leicester. anxiously to Leicester, "do all you can to move her Majesty; it is looked for at your hand, and all worthy and godly men of this nation shall love and honour you forever; let it be handled so that this Queen may know how she has been misguided and ill-advised to take so much upon her — not only against these noblemen, but far above that if she had power to her will."¹

But it was from Murray himself that Elizabeth had to encounter the most inconvenient remonstrances. To save England from a Catholic revolution, and to save England's Queen from the machinations of a dangerous rival, the Earl of Murray had taken arms against his sovereign, and he found himself a fugitive and an outlaw, while the sacred cause of the Reformation in his own country had been compromised by his fall. His life was safe, but Mary Stuart, having failed to take or kill him, was avenging herself on his wife; and the first news which he heard after reaching England was that Lady Murray had been driven from her home, and, within a few weeks of her confinement, was wandering shelterless in the woods. Submission and soft speeches would have been his more prudent part, but Murray, a noble gentleman of stainless honour, was not a person to sit down patiently as the dupe of timidity or fraud.

He wrote shortly to the English Council, to say that in reliance on the message brought him by Sir Robert Melville he had encouraged his friends to persevere in

¹ Randolph to Leicester, October 18: *Scotch MSS. Rolls House.*

resistance at a time when they could have made their peace; and through "their Queen's cold dealing" both he and they were now forced to enter England. If there was an intention of helping them, he begged that it might be done at once, and that Scotland might be saved from ruin.¹

By the same messenger he wrote more particularly to Cecil: "He did not doubt," he said, "that Cecil understood fully the motives both of himself and his friends; they had enterprised their action with full foresight of their sovereign's indignation, being moved thereto by the Queen of England and her Council's hand writ directed to them thereupon;" the "extremities" had followed as they expected; the Queen of Scots would now agree to no condition, relying on the Queen of England's "coldness:" he was told that the Queen's Majesty's conscience was not resolved to make open war without further motive and occasion; the Queen's Majesty was perfectly aware "that he had undertaken nothing for any particularity of his own, but for good affection to follow her own counsel; her Majesty had been the furtherer and the doer, and he with the other noblemen had assisted therein to their power."²

Nor were the Lords contented with written protests: they were determined to hear from Elizabeth's own lips an explanation of their desertion. Murray himself and the Abbot of Kilwinning were chosen as the representatives of the rest; and Bedford, after an affectation of opposition which he did not carry beyond a form, sent to the Queen on the 17th of October to prepare for their appearance in London. Pressed by the conse-

¹ Murray to the Council, October 14: *Scotch MSS. Rolls House.*

² Murray to Cecil, October 14: *MS. Ibid.*

quences of her own faults, Elizabeth would have concealed her conduct if possible from her own eyes ; least of all did she desire to have it thrown in her teeth before all the world. She had assured Paul de Foix at last that she would give the Lords no help, and would wait to be attacked. She wished to keep clear of every overt act which would justify the Queen of Scots in appealing to France and Spain. She had persuaded herself that Mary Stuart's army would disperse in a few days for want of supplies, that the Lords would return over the Border as easily as they had crossed it ;¹ and that she could assist them with money behind the scenes without openly committing herself. These plans and hopes would be fatally disconcerted by Murray's appearance at the court, and she sent Bedford's courier flying back to him with an instant and angry command to prevent so untoward a casualty. She had said again and again that "she would give no aid that should break the peace." The coming up of the Earl of Murray "would give manifest cause of just complaint to the Queen of Scots ;" and she added with curious self-exposure, "neither are these kind of matters in this open sort to be used." If Murray had not yet set out she required Bedford "to stay him by his authority ;" if he had started he must be sent after and recalled.²

The harshness of Elizabeth's language was softened by the Council, who expressed their regret "that the common cause had not hitherto had better success ;" they promised their own support "so far as their power and credit might extend ;" but they entreated Murray

¹ Paul de Foix to the King of France, October 16: Teulet, Vol. II.

² Elizabeth to Bedford, October 20: *Scotch MSS. Rolls House.*

"patiently to accommodate himself to her Majesty's resolution."¹

Unluckily for Elizabeth, Murray had anticipated the prohibition, and had followed so closely behind the announcement of his approach that the couriers charged with the letters of the Queen and Council met him at Ware. He opened the despatch which was addressed to himself, and immediately sent on a note to Cecil, regretting that he had not been sooner made aware of the Queen's wishes, but saying that as he had come so far he should now remain where he was till he was informed of her further pleasure.

Embarrassed, irritated, and intending at all hazards to disavow her connexion with the Lords, Elizabeth, since Murray had chosen to come to her, resolved to turn his presence to her advantage. When she had once made up her mind to a particular course, she never hesitated on the details, whatever they might cost. The Earl of Murray was told that he ^{Murray goes to London.} would be received; he went on to London, and "on the night of his arrival the Queen sent for him and arranged in a private interview the comedy which she was about to enact."²

The following morning, the 22d of October, he was admitted to an audience in public, at which De Foix

¹ The Council to Murray, October 20: *Scotch MSS. Rolls House*. The letter is signed by Norfolk, Pembroke, Lord William Howard, and Cecil.

² "Yo fué avisado que la noche antes desta platica el de Murray estuvo con ella y con el secretario Cecil, buen rato, donde se debió consultar lo que pasó el día siguiente." — De Silva to Philip, November 5. And again, "La Reyna oyó al de Murray la noche que llegó en secreto, y otro día hizo aquella demostracion delante del Embajador de Francia." — Same to the same, November 10: *MS. Simancas*. A report of the proceedings in the Rolls House, which was drawn up for the inspection of Mary Stuart herself, and the Courts of France and Spain, states that "the Queen received Murray openly and none otherwise." The consciousness that she had received him otherwise explains words which else might have seemed superfluous.

and De Mauvissière, who had by this time returned from Scotland, were especially invited to be present. De Silva describes what ensued, not as an eye-witness, but from an account which was given to him by the Queen herself.¹

Elizabeth having taken her place with the Council and the ambassadors at her side, the Earl of Murray entered, modestly dressed in black. Elizabeth receives Murray in form; Falling on one knee he began to speak in Scotch, when the Queen interrupted him with a request that he would speak in French, which she said she could better understand. Murray objected that he had been so long out of practice that he could not properly express himself in French; and Elizabeth, whose object was to produce an effect on De Foix and his companion, accepted his excuse for himself; but she said that although he might not be sufficient master of the idiom to speak it, she knew that he understood it when he heard it spoken; she would therefore in her own part of the conversation make use of that language.

She then went on "to express her astonishment that being declared an outlaw as he was by the Queen of Scots, the Earl of Murray should have dared to come unlicensed into her presence. The Queen of Scots had been her good sister, and such she always hoped to find her. There had been differences between them which had made her fear for their friendship; but the King of France had kindly interposed his good offices between herself, her sister, and her sister's subjects;

¹ The account in Sir James Melville's *Memoirs* is evidently taken from the official narrative, with which in most points it verbally agrees. De Silva's is but little different. The one variation of importance will be noticed.

and the two ministers who had been his instruments in that good service being at the moment at her court, she had requested both them and others to attend on the present occasion to hear what she was about to say. She wished it to be generally understood that she would do nothing which would give just offence to the Queen of Scots or which would impair her own honour. The world, she was aware, was in the habit of saying that her realm was the sanctuary for the seditious subjects of her neighbours and it was even rumoured that she had instigated or encouraged the insurrection in Scotland. She would not have done such a thing to be sovereign of the universe. God, who was a just God, she well knew would punish her with the like troubles in her own country; and if she encouraged the subjects of another prince in disobedience, He would stir her own people into insurrection against herself. So far as she knew there were two causes for the present disturbances in Scotland: the Queen of Scots had married without the consent of her Estates, and had failed to apprise the princes her neighbours of her intentions; the Earl of Murray had attempted to oppose her and had fallen into disgrace. This was the first cause. The second was that the Earl of Lennox and his house were opposed to the reformed religion; the Earl of Murray feared that he would attempt to destroy it, and with his friends preferred to lose his life rather than allow what he believed to be the truth to be overthrown. The Earl had come to the English court to request her to intercede with his sovereign that he might be heard in his defence. There were faults which proceeded of malice which deserved the rigour of justice — one of these was treason against the person of the sovereign; and were she

and publicly denies that she had encouraged the rebellion.

to understand that the Earl of Murray had meditated treason, she would arrest and chastise him according to his demerits : but she had known him in times past to be well-affectioned to his mistress ; he had loved her, she was confident, with the love which a subject owes to his prince. There were other faults — faults committed through imprudence, through ignorance, or in self-defence, which might be treated mercifully. The Earl of Murray's fault might be one of these ; she bade him therefore say for which cause he had instigated the late disturbances."

Elizabeth had exercised a wise caution in preparing Murray for this preposterous harangue. He commanded himself, and replied by calling God to witness of the loyalty with which he had ever served his sovereign : she had bestowed lands, honour, and rewards upon him far beyond his desert ; he had desired nothing less than to offend her, and he would have stood by her with life and goods to the utmost of his ability.

Elizabeth then began again : " She held a balance in her hand," she said ; " in the one scale was the sentence of outlawry pronounced against him by the Queen of Scots, in the other were the words which he had just spoken. But the word of a Queen must outweigh the word of a subject in the mind of a sister sovereign, who was bound to show most favour to her own like and equal. The Earl had committed actions deserving grave reprehension : he had refused to appear when lawfully summoned ; he had taken up arms and had made a league with others like himself to levy war against his sovereign. She had been told that he was afraid of being murdered, but if there had been a conspiracy against him he should have produced the proofs of it in his sovereign's presence."

Murray replied in Scotch, the Queen interpreting as he went on. He said that it was true that there had been a conspiracy; the condition of his country was such that he could not have saved his life except by the means which he had adopted. Elizabeth had doubtless made it a condition of her further friendship that he should say nothing by which she could herself be incriminated; and he contented himself with entreating her to intercede for him to obtain the Queen of Scots' forgiveness.

Elizabeth affected to hesitate. The Queen of Scots, she said, had so often refused her mediation that she knew not how she could offer it again, but she would communicate with her Council, and when she had ascertained their opinions he should hear from her. Meanwhile she would have him understand that he was in great danger, and that he must consider himself a prisoner.

The Earl was then permitted to withdraw. The Queen went aside with the Frenchmen, and assuring them that they might accept what they had witnessed as the exact truth, she begged that they would communicate it to the King of France. To De Silva, when he was next admitted to an audience, she repeated the story word by word, and to him as well as to the others she protested that rebels against their princes should receive from her neither aid nor countenance.¹

Elizabeth declares that she had spoken nothing but the truth.

So ended this extraordinary scene. Sir James Melville's narrative carries the extravagance one point further. He describes Elizabeth as extorting from Murray an acknowledgment that she had not encour-

¹ De Silva to Philip, November 5: *MS. Simancas*.

aged the rebellion, and as then bidding him depart from her presence as an unworthy traitor. Sir James Melville does but follow an official report which was drawn up under Elizabeth's eye and sanction, to be sent to Scotland and circulated through Europe. It was thus therefore that she herself desired the world to believe that she had spoken ; and one falsehood more or less in a web of artifice could scarcely add to her discredit. For Murray's sake, however, it may be hoped that he was spared this further ignominy, and that De Silva's is the truer story.

If the Earl did not declare in words, however, that Elizabeth was unconnected with the rebellion, he allowed her to disavow it in silence, and by his forbearance created for himself and Scotland a claim upon her gratitude. He was evidently no consenting party to the deception ; and after leaving her presence he wrote to her in a letter what he had restrained himself from publicly declaring. "Her treatment of him would have been more easy to bear," he said, "had he known in what he had offended ;" "he had done his uttermost with all his power to serve and gratify her ;" and "the more he considered the matter it was ever the longer the more grievous to him : " noblemen who had suffered in former times for maintaining English interests in Scotland, "when their cause was not to be compared to the present, had been well received and liberally gratified ;" while he who had "endeavoured to show a thankful heart in her service when any occasion was presented, could in no wise perceive by her Highness's answer any affection towards his present state : " "her declaration had been more grievous to him than all his other troubles ;"

he trusted that "he might in time receive from her some more comfortable answer."¹

It does not appear that Elizabeth saw Murray any more. She was only anxious to be rid of his presence, which was an intolerable reproach to her; and with these words—the least which the occasion required, yet not without a sad dignity—he returned to his friends who had been sent on to Newcastle, where they were ordered for the present to remain. Elizabeth was left to play out in character the rest of her ignoble game. To the ambassadors, whom she intended to deceive, it was a transparent farce; and there was probably not a house in London, Catholic or Protestant, where her conduct, which she regarded as a political masterpiece, was not ridiculed as it deserved. But it must be allowed at least the merit of completeness. An elaborate account of the interview with Murray was sent to Randolph to be laid before the Queen of Scots; Elizabeth accompanied it with an autograph letter in which she attempted to ^{Elizabeth writes to} impose on the keenest-witted woman living ^{Mary Stuart.} by telling her she wished "she could have been present to have heard the terms in which she addressed her rebellious subject." "So far was she from espousing the cause of rebels and traitors," she said, "that she should hold herself disgraced if she had so much as tacitly borne with them;" "she wished her name might be blotted out from the list of princes as unworthy to hold a place among them," if she had done any such thing.²

¹ The Earl of Murray to Queen Elizabeth, from Westminster, October 31: *Scotch MSS. Rolls House.*

² "Aussy je luy (Randolph) ay declaré tout au long le discours entre moy et ung de voz subjectz lequell j'espere vous contentera; soubhaitant que voz oreilles en eussent été juges pour y entendre et l'honneur et l'affection que
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At the same time she wrote to Randolph himself, saying frankly that her first impulse on Murray's arrival had been to accept partially if not entirely the conditions of peace which the Queen of Scots had offered to Tamworth. If the Queen of Scots would promise not to molest either herself or her children in the possession of the English throne, she had been ready to pledge her word that nothing should be done in England in prejudice of the Queen of Scots' title to "the second place." On reflection, however, it had seemed imprudent to show excessive eagerness. She had therefore written a letter which Randolph would deliver; and he might take the opportunity of saying that although the Darnley marriage had interrupted the friendship which had subsisted between the Queen of Scots and herself, yet that she desired only to act honourably and kindly towards her; and if the Queen of Scots would undertake to keep the peace and would give the promise which she desired, she would send commissioners to Edinburgh to make a final arrangement.¹

In a momentary recovery of dignity she added at the close of her letter that if the Queen of Scots refused, "she would defend her country and subjects from such annoyance as might be intended, and would finally use all such lawful means as God should give her, to redress all offences and injuries already done or hereafter to be done to her or her subjects."² But an evil spirit of trickery and imbecility had taken possession of Eliz-

je monstrois en vostre endroit; tout au rebours de ce qu'on dict que je defendois voz mauvaises subjectz contre vous; laquelle chose se tiendra tous-jours très éloignée de mon cœur, estant trop grande ignominie pour une princesse à souffrir, non que à faire; soubhaitant alors qu'on me esblouisse du rang des princes comme estant indigne de tenir lieu." — Elizabeth to the Queen of Scots, October 29: *Scotch MSS. Rolls House*.

¹ Elizabeth to Randolph, October 29: *MS. Ibid.*

² *Ibid.*

abeth's intellect. The Queen of Scots naturally expressed the utmost readiness to receive commissioners sent from England to concede so much of what she had asked. By the time Mary's answer came, her Majesty being no longer in a panic, had become sensible of the indignity of her proposal. She therefore bade Randolph "so compass the ^{November} matter that the Queen of Scots should rather send commissioners to England, as more honourable to herself;" and "if the Queen of Scots said, as it was like she would, that the Queen of England had offered to send a commission thither, *he should answer that he indeed said so and thought so*, but that he did perceive he had mistaken her message."¹

Elizabeth's strength, could she only have known it, lay in the goodness of the cause which she represented. The essential interests both of England and Scotland were concerned in her success. She was the champion of liberty, and through her the two nations were emancipating themselves from spiritual tyranny. By the side of the Jesuits she was but a shallow driveller in the arts to which she condescended; and she was about to find that after all the paths of honour were the paths of safety, and that she could have chosen no weapon more dangerous to herself than the chicanery of which she considered herself so accomplished a mistress. She had mistaken the nature of English and Scottish gentlemen in supposing that they would be the instruments of a disgraceful policy, and she had done her rival cruel wrong in believing that she could be duped with artifices so poor.

"Send as many ambassadors as you please to our Queen," said Sir William Kirkaldy to Bedford; "they

¹ Elizabeth to Randolph, November 26: *Scotch MSS. Rolls House.*

shall receive a proud answer. She thinks to have a force as soon ready as you do, besides the hope she has to have friendship in England. If force of men and ships come not with the ambassadors, their coming and travail shall be spent in vain.”¹

Even Cecil perhaps now deplored the effects of his own timidity. “I have received,” wrote Bedford to him, “your gentle and sorrowful letter. It grieveth me that things will frame no better. The evil news will be the overthrow of three hundred gentlemen of Scotland that are zealous and serviceable.” Too justly Bedford feared that the Scotch Protestants in their resentment, would “become the worst enemies that England ever had;” too clearly he saw that Elizabeth by her miserable trifling had ruined her truest friends; that however anxious she might be for peace “the war would come upon her when least she looked for it;” and that Mary Stuart now regarded her with as much contempt as hatred. “Alas! my lord,” he wrote to Leicester, “is this the end? God help us all and comfort these poor lords. There is by these dealings overthrown a good duke, some earls, many other barons, lords, and gentlemen, wise, honest, religious. Above all am I driven to bemoan the hard case of the Earl of Murray and the Laird of Grange, whose affection to this whole realm your lordship knows right well. I surely think there came not a greater overthrow to Scotland these many years; for the wisest, honestest, and godliest are discomfited and undone. There is now no help for them, unless God take the matter in hand, but to commit themselves to their prince’s will and pleasure. And what hath England gotten by helping them in this

Probable
consequence
of Eliza-
beth’s con-
duct.

¹ Kirkaldy to Bedford, October 31: *Scotch MSS. Rolls House.*

sort? even as many mortal enemies of them as before it had dear friends; for otherwise will not that Queen receive them to mercy, if she deal no worse with them; nor without open and evident demonstration of the same cannot they assure themselves of her favour; and the sooner they thus do, the sooner they shall have her to conceive a good opinion of them, and the sooner they shall be restored to their livelihoods.”¹

“Greater account might have been made of the lords’ good-will,” wrote Randolph. “If there be living a more mortal enemy to the Queen my mistress than this woman is, I desire never to be reputed but the vilest villain alive.”² “The lords,” concluded Bedford scornfully, “abandoned by man and *turned over to God*, must now do the best they can for themselves.”

And what that was, what fruit would have grown from those strokes of diplomatic genius, had Mary Stuart been equal to the occasion, Elizabeth would ere long have tasted in deposition and exile or death. Randolph, faithful to the end, might say and unsay, might promise and withdraw his word, and take on himself the blame of his mistress’s changing humour; Bedford, with ruin full in view before him, might promise at all risks “to obey her bidding.” But the Lords of Scotland were no subjects of England, to be betrayed into rebellion in the interests of a country which they loved with but half their hearts, and when danger came to be coolly “turned over to God.” Murray might forgive, for Murray’s noble nature had no taint of self in it; but others could resent for him what he himself could pardon. Argyle, his brother-in-

¹ Bedford to Leicester, November 5: *Scotch MSS. Rolls House*

² Randolph to Leicester, November 8. *Ibid.*

law, when he heard of that scene in London, bade Randolph tell his mistress "he found it very strange : the Queen of Scots had made him many offers, and till that time he had refused them all ; if the Queen of England would reconsider herself, he would stick to the English cause and fight for it with lands and life ; but he demanded an answer within ten days. If she persisted, he would make terms with his own sovereign."¹ The ten days passed and no answer came. Argyle withdrew the check which through the Scots of the Isles he had held over Shan O'Neil, and Ireland

Resentment
of the Earl
of Argyle. blazed into fury and madness ; while Argyle himself from that day forward till Mary Stuart's last hopes were scattered at Langside, became the enemy of all which till that hour he had most loved and fought for.

Nor was Argyle alone in his anger. Sir James Melville saw the opportunity and urged on his mistress a politic generosity. From the day of her return from France he showed her that she had "laboured without effect to sever her nobility from England." "The Queen of England had now done for her what for herself she could not do ; and if she would withdraw her prosecutions, pardon Murray, pardon Chatelherault, pardon Kirkaldy and Glencairn, she might command their devotion forever."² Melville found an ally where he could have least looked for it, to repeat the same advice. Sir Nicholas Throgmorton had for the last six years been at the heart of every Protestant conspiracy in Europe. He it was of whose experienced skill Elizabeth had availed herself to light the Scotch insurrection. His whole nature revolted against the

¹ Randolph to Cecil, November 19.

² Melville's *Memoirs*.

paltry deception of which he had been made the instrument ; and now throwing himself passionately into the interests of the Queen of Scots, he advised the Lords " to sue for pardon at their own Queen's hands, and engage never to offend her again for the satisfaction of any prince alive ; " while more daringly and dangerously he addressed Mary Stuart himself.

" Your Majesty," he said, " has in England many friends who favour your title for divers respects ; some for conscience, thinking you have the right ; some from personal regard ; some for religion ; some for faction ; some for the ill-will they bear to Lady Catherine, your competitor. Your friends and enemies alike desire to see the succession settled. Parliament must meet next year at latest ; and it must be your business meanwhile to assure yourself of the votes of the majority, which if you will you can obtain. You have done wisely in marrying an Englishman ; we do not love strangers. Make no foreign alliance till you have seen what we can do for you. Keep on good terms with France and Spain, but do not draw too close to them. Go on moderately in religion as you have hitherto done, and you will find Catholics as well as Protestants on your side. Show clemency to the banished Lords. You will thus win many hearts in England. Be careful, be generous, and you will command us all. I do not write as ' a fetch ' to induce you to take the Lords back ; it is thought expedient for your service by many who have no favour to them and are different from them in religion.

Sir Nicholas
Throgmorton writes to
Mary Stuart.

" The Earl of Murray has offended you it is true ; but the Protestants persuade themselves that his chief

fault in your eyes is his religion, and on that ground they take his side. Pardon him, restore him to favour, and win by doing so all Protestant hearts. The Lords will in no wise if they can eschew it be again in the Queen of England's debt, neither by obtaining of any favour at your hand by her intervention, nor yet for any support in time of their banishment. Allow them their charges out of their own lands, and the greater part even of the English bishops will declare for you."¹

Never had Elizabeth been in greater danger; and the worst features of the peril were the creations of her own untruths. Without a fuller knowledge of the strength and temper of the English Catholics than the surviving evidence reveals, her conduct cannot be judged with entire fairness. Undoubtedly the utmost caution was necessary to avoid giving the Spaniards a pretext for interference; and it is due to her to admit that her own unwillingness to act openly on the side of the northern lords had been endorsed by that of Cecil. Yet she had been driven into a position from which, had Mary Stuart understood how to use her advantage, she would scarcely have been able to extricate herself. If the Queen of Scots had relied on her own judgment she would probably have accepted the advice of Melville, and Throgmorton, and her other English friends; she would have declared an amnesty, and would have rallied all parties except the extreme Calvinist fanatics to her side. But such a policy would have involved an indefinite prolongation of the yoke which she had already found intolerable; she must have concealed or suspended her intention of making

¹ Letter from Sir N. Throgmorton to the Queen of Scots: Printed by Sir James Melville; abridged.

a religious revolution, and she must have continued to act with a forbearance towards the Protestants which her passionate temper found more and more difficulty in maintaining. The counsels of David Ritzio were worth an army to English liberty; she had surrendered herself entirely and exclusively to Ritzio's guidance; and when Melville attempted to move the dark and dangerous Italian "he evidenced a disdain of danger and despised counsel." Ritzio, "the minion of the Pope," preferred the more direct and open road of violence and conquest, which he believed, in his ignorance of the people amongst whom he was working, to be equally safe for his mistress, while it promised better for other objects which he had in view for himself. Already every petition addressed to the crown was passing through his hands, and he was growing rich upon the presents which were heaped upon him to buy his favour. He desired rank as well as wealth; and to be made a peer of Scotland, the reward which Mary Stuart intended for him, he required a share of the lands of the banished earls, the estates of Murray most especially, as food at once for his ambition and revenge.

Injurious
influence of
Ritzio over
Mary Stuart.

It is time to return to his friend and emissary, Francis Yaxlee, who went at the end of August on a mission to Philip.

Mission of
Yaxlee to
Spain.

The conditions under which the King of Spain had promised his assistance seemed to have arrived. Mary Stuart had married Lord Darnley as he advised; her subjects had risen in insurrection with the secret support of the Queen of England, who was threatening to send an army into Scotland for their support. She had run into danger in the interests of the Church of Rome, and she looked with confidence to the most

Catholic King to declare for her cause. Yaxlee found Philip at the beginning of October at Segovia. Elizabeth's diplomacy had been so far successful that the Emperor Maximilian was again dreaming that she would marry the Archduke Charles. He was anxious to provide his brother with a throne: he had been wounded by Mary Stuart's refusal to accept the Archduke, when his marriage with her had been arranged between himself and the Cardinal of Lorraine, with the sanction of the Council of Trent. Elizabeth had played upon his humour, and he had reverted to the scheme which had at one time been so anxiously entertained by his father and Philip.¹ The King of Spain's own hopes of any such solution of the English difficulty were waning; yet he was unwilling to offend the Emperor, and he would not throw away a card which might after all be the successful one. It was perhaps the suspicion that Philip was not acting towards her with entire sincerity which urged Mary Stuart into precipitancy; or she might have wished to force Elizabeth into a position in which it would be impossible for any Catholic sovereign to countenance her. But Elizabeth, on the one hand, had been too cautious, and Philip, on the other, though wishing well to the Queen of Scots and evidently believing that she was the only hope of the Catholic cause in England, yet could not overcome his constitutional slowness. He was willing to help her, yet only as

¹ "Á noche racibi una carta de Chantonmay del 27 del pasado en que me escribe que habiendo dicho al Emperador de parte de V. M^a. que si era necesario que, para que se hiciese el negocio del matrimonio del Archiduque con la de Inglaterra, V. M^a. escribiese á la Reyna de su mano sobrelo, y que el Emperador le habia respondido que no estaba desahuciado deste negocio, y le diria lo que sobrelo habia de escribir á V. M^a. El deseo es grande que [el Emperador] tiene á este negocio."—De Silva to Philip November 10: *MS. Simancas*.

Elizabeth had helped the Scotch insurgents, with a secrecy which would enable him to disavow what he had done. He was afraid of the Huguenot tendencies of the French Government; he was afraid that if he took an open part he might set a match to the mine which was about to explode in the Low Countries: he therefore repeated the cautions which Alva had given Beton at Bayonne; he gave Yaxlee a bond for twenty thousand crowns, which would be paid him by Granvelle at Brussels; he promised if Elizabeth declared war to contribute such further sums as should be necessary, but he would do it only under shelter of the name of the Pope and through the Pope's hands; in his own person he would take no part in the quarrel; the time, he said, was not ripe. He insisted especially that Mary Stuart should betray no intention of claiming the English throne during Elizabeth's lifetime. It would exasperate the Queen of England into decisive action, and justify her to some extent in an immediate appeal to arms.¹ As little would he encourage the Queen of Scots to seek assistance from her uncles in France. She might accept money wherever she could get it, but to admit a French army into Scotland would create a greater danger than it would remove.²

With this answer Yaxlee was dismissed; and so anxious was Philip that Mary Stuart should know his opinion that he enclosed a duplicate of his reply to De Silva, with directions that it should be forwarded immediately to Scotland, and with a further credit for money should the Queen of Scots require it.

¹ "Porque esto la escandalizaria mucho y daria gran ocasion para ejecutar contra ellos lo que pudiese, y en alguna manera seria justificar su causa."
Answer to Yaxlee: Mignet, Vol. II. p. 200.

² Ibid.

October.
 He sends
 money to
 Mary, but
 will take no
 open step.

Yet Philip was more anxious for her success and more sincere in his desire to support her than might be gathered from his cautious language to her ambassador; and his real feelings may be gathered from a letter which he wrote after Yaxlee had left Segovia to Cardinal Pacheco, his minister at Rome.

PHILIP II. TO CARDINAL PACHECO.¹

October 16.

"I have received your letter of the 2d of September, containing the message from his Holiness on the assistance to be given to the Queen of Scots. As his Holiness desires to know my opinion, you must tell him first that his anxiety to befriend and support that most excellent and most Christian princess in her present straits is worthy of the zeal which he has ever shown for the good cause, and is what his disposition would have led me to expect. The Queen of Scots has applied to myself as well as to his Holiness; and possessing as I do special knowledge of the condition of that country, and having carefully considered the situation of affairs there, I have arrived at the following conclusions:—

Philip advises the Pope to send assistance.

"There are three possibilities—

"1. Either the Queen of Scots may find herself at war only with her own subjects, and may require assistance merely to reduce her own country to obedience and to maintain religion there; or,

"2. The Queen of England, afraid for her own safety, may openly support the rebels and heretics in their insurrection, and herself undisguisedly declare war; or,

"3. The Queen of Scots may attempt to extort by

¹ MS. *Simancas*.

arms the recognition of her claims on the English succession.

“In either or all of these contingencies his Holiness will act in a manner becoming his position and his character if he take part avowedly in her behalf. I myself am unwilling to come prominently forward, but I am ready to give advice and assistance, and that in the following manner : —

“Suppose the first case, that the Scotch rebels find no support from any foreign prince, their strength cannot then be great, and the Queen of Scots with very little aid from us will be able to put them down. It will be sufficient if we send her money, which can be managed secretly ; and if his Holiness approves he will do well to send whatever sum he is disposed to give without delay. I shall myself do the same, and indeed I have already sent a credit to my ambassador in England for the Queen of Scots’ use.

“If the Queen of England takes an open part, more will be required of us, and secrecy will hardly be possible even if we still confine ourselves to sending money. Whatever be done, however, it is my desire that it be done entirely in his Holiness’s name. I will contribute in my full proportion ; his Holiness shall have the fame and the honour.

“The last alternative is far more difficult. I foresee so many inconveniences as likely to arise from it that the most careful consideration is required before any step is taken. Nothing must be done prematurely ; and his Holiness I think should write to the Queen of Scots and caution her how she proceeds. A false move may ruin all, while if she abide her time she cannot fail to succeed. Her present care should be to attach her English friends to herself more firmly, and wher-

ever possible to increase their number ; but above all she should avoid creating a suspicion that she aims at anything while the Queen of England is alive. The question of her right to the succession must be continually agitated, but no resolution should be pressed for until success is certain. If she grasp at the crown too soon she will lose it altogether. Let her bide her time before she disclose herself, and meanwhile I will see in what form we can best interfere. The cause is the cause of God, of whom the Queen of Scots is the champion. We now know assuredly that she is the sole gate through which religion can be restored in England ; all the rest are closed."

The unfortunate Yaxlee, having received his money in Flanders, was hurrying back to his mistress, when he was caught in the Channel by a November gale, and was flung up on the coast of Northumberland a mangled body, recognizable only by the despatches found upon his person. They told Elizabeth little which she did not know already. She was perhaps relieved from the fear of an immediate interposition from Spain, the expectation of which, as much as any other cause, had led to the strangeness of her conduct. But she knew herself to be surrounded with pitfalls into which a false step might at any moment precipitate her ; and she could resolve on nothing. One day she thought of trying to persuade the Queen of Scots to establish "religion" on the English model ; "or if that could not be obtained that there might be liberty of conscience, that the Protestants might serve God their own way without molestation."¹ Then again, in a feeble effort to preserve her

¹ Instructions to Commissioners going to Scotland, November, 1565.
Cotton MSS., Calig. B. 10.

dignity, she would once more attempt to entrap the Queen of Scots into sending commissioners to England to sue for a settlement of the succession, which naturally did but increase Mary Stuart's exasperation.¹ Bothwell made a raid on the Borders, and carried off five or six English prisoners. The Earl of Bedford made reprisals, in the faint hope that it might force Elizabeth into a more courageous attitude. She first blamed Bedford; then, stung by an insolent letter from the Queen of Scots, she flashed up with momentary pride and became conscious of her injustice to Murray.

The Scotch Parliament was summoned for the ensuing February, when Murray and his friends would be required to appear, and if they failed to present themselves would be proceeded against for high treason. The Queen of Scots at Ritzio's instigation was determined to carry an act of attainder and forfeiture against them, which Elizabeth felt herself bound in honour to make an effort to prevent. So anxious she had been for the first two months after they had come to England to disclaim connexion with them that she had almost allowed them to starve; and Randolph on Christmas-day wrote to Cecil that Murray "had not at that time two crowns in the world."² But this neglect was less the result of deliberate carelessness than of temporary panic; and as the alarm cooled down she recovered some perception of the obligations under which she lay.

December.
Elizabeth
begins to
recover her-
self.

At length therefore, she consented for herself to name two commissioners if the Queen of Scots would name two others; and in writing on the subject to

¹ *manuscript* to Cecil, December 15: *Scotch MSS. R.*²

² Same to same, December 25: *MS. Ibid.*

Randolph, under her first and more generous impulse, she said that "her chief intention in their meeting was, if it might be, that some good might be done for the Earl of Murray." Her timidity came back upon her before she had finished her letter; she scored out the words and wrote instead "the chief intention of this meeting on our part is, *covertly though not manifestly*,

to procure that some good might be done
 January. for the Earl."¹ More painful evidence she could scarcely have given of her perplexity and alarm.

Bedford and Sir John Foster were named to represent England. The Queen of Scots, as if in deliberate insult, named Bothwell as a fit person to meet with them; and even this, though wounded to the quick, Elizabeth endured, lest a refusal might "increase her malice."²

So the winter months passed away; and the time was fast approaching for the meeting of the Scottish Parliament. The Queen of Scots was by this time pregnant. Her popularity in England was instantly tenfold increased; while from every part of Europe warnings came thicker and thicker that mischief was in the wind. "The young King and Queen of Scots," wrote Sir Thomas Smith from Paris, "do look for a further and a bigger crown, and have more intelligence and practice in England and in other realms than you think for. Both the Pope's and the King of Spain's hands be in that dish further and deeper than I think you know. The ambassadors of Spain, Scotland, and the Cardinal of Lorraine be too great in their devices for me to like. The Bishop of Glasgow looks to be a cardinal, and to bring in Popery ere it be long, not

¹ Elizabeth to Randolph, January 10: *Scotch MSS. Rolls House.*

² Same to same, February 2: *Lansdowne MSS.*

only into Scotland but into England. I have cause to say to you *vigilate!*"¹

"It is written," Randolph reported to Leicester, "that this Queen's faction increaseth greatly among you. I commend you for that; for so shall you have religion overthrown, your country torn in pieces, and never an honest man left alive that is good or godly. Woe is me for you when David's (Ritzio's) son shall be a king of England."²

At length a darker secret stole abroad that Pius the Fifth, who had just succeeded to the Papal chair, had drawn away Catherine de Medici from the freer and nobler part of the French people; that she had entered on the dark course which found its outcome on the day of St. Bartholomew; and that a secret league had been formed between the Pope and the King of France and the Guises for the uprooting of the reformed faith out of France by fair means or foul. Nor was the conspiracy confined to the Continent; a copy of the bond had been sent across to Scotland which Randolph ascertained that Mary Stuart had signed.³ At the moment when it arrived she had been moved in some slight degree by Melville's persuasions, and perhaps finding that Philip also advised moderation, she was hesitating whether she should not pardon the lords after all. But the Queen-mother's messenger, M. de Villemont, entreated that she would under no circumstance whatever permit men to return to Scotland who had so long thwarted and obstructed her. The unexpected support from France blew her passion into flame again;⁴

Catholic
league in
Europe for
the extirpa-
tion of
heresy.

¹ Sir T. Smith to Cecil, March, 1565-66: *French MSS. Rolls House.*

² Randolph to Leicester, January 29: *Scotch MSS. Rolls House.*

³ Randolph to Cecil, February 7: *MS. Ibid.*

⁴ Melville's *Memoirs.*

Randolph, under her first and more generous impulse, she said that "her chief intention in their meeting was, if it might be, that some good might be done for the Earl of Murray." Her timidity came back upon her before she had finished her letter; she scored out the words and wrote instead "the chief intention of this meeting on our part is, *covertly though not manifestly*,

to procure that some good might be done
January. for the Earl."¹ More painful evidence she could scarcely have given of her perplexity and alarm.

Bedford and Sir John Foster were named to represent England. The Queen of Scots, as if in deliberate insult, named Bothwell as a fit person to meet with them; and even this, though wounded to the quick, Elizabeth endured, lest a refusal might "increase her malice."²

So the winter months passed away; and the time was fast approaching for the meeting of the Scottish Parliament. The Queen of Scots was by this time pregnant. Her popularity in England was instantly tenfold increased; while from every part of Europe warnings came thicker and thicker that mischief was in the wind. "The young King and Queen of Scots," wrote Sir Thomas Smith from Paris, "do look for a further and a bigger crown, and have more intelligence and practice in England and in other realms than you think for. Both the Pope's and the King of Spain's hands be in that dish further and deeper than I think you know. The ambassadors of Spain, Scotland, and the Cardinal of Lorraine be too great in their devices for me to like. The Bishop of Glasgow looks to be a cardinal, and to bring in Popery ere it be long, not

¹ Elizabeth to Randolph, January 10: *Scotch MSS. Rolls House.*

² Same to same, February 2: *Lansdowne MSS.*

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and she looked only to the meeting of the Parliament, from which the strength of the Protestants would now be absent, not only to gratify her own and Ritzio's revenge but to commence her larger and long-cherished projects. She determined to make an effort to induce the Estates to reëstablish Catholicism as the religion of Scotland, leaving the Protestants for the present with liberty of conscience, but with small prospect of retaining long a privilege which when in power they had refused to their opponents.

The defeat of the Lords and the humiliating exhibition of Elizabeth's fears had left Mary Stuart to outward appearance mistress of the situation. There was no power in Scotland which seemed capable of resisting her. She wrote to Pius to congratulate him on her triumph over the enemies of the faith, and to assure him that "with the help of God and his Holiness she would leap over the wall."¹ Bedford and Randolph ceased to hope; and Murray, in a letter modestly and mournfully beautiful, told Cecil that unless Elizabeth interfered, of which he had now small expectation, "for anything that he could judge" he and his friends were wrecked forever.²

Suddenly, and from a quarter least expected, a little cloud rose over the halcyon prospects of the Queen of Scots, wrapped the heavens in blackness, and burst over her head in a tornado. On the political stage Mary Stuart was but a great actress. The "woman" had a drama of her own going on behind the scenes; the theatre caught fire; the mock heroics of the Catholic crusade burnt into ashes; and a tremendous domestic tragedy was revealed before the astonished eyes of Europe.

¹ Mary Stuart to the Pope, January 21, 1566: Mignet.

² Murray to Cecil, January 9: *Scotch MSS. Rolls House.*

Towards the close of 1565 rumours went abroad in Edinburgh, coupled with the news that the Queen was enceinte, that she was less happy in her marriage than she had anticipated. She had expected Darnley to be passive in her hands, and she was finding that he was too foolish to be controlled: a proud, ignorant, self-willed boy was at the best an indifferent companion to an accomplished woman of the world; and when he took upon himself the airs of a king, when he affected to rule the country and still more to rule the Queen, he very soon became intolerable. The first open difference between them arose from the appointment of Bothwell as lieutenant-general in preference to Lennox. The Lennox clan and kindred, the Douglasses, the Ruthvens, the Lindsays, who were linked together in feudal affinity, took the affront to themselves; and Darnley, supported by his friends, showed his resentment by absenting himself from the Court.

"The Lord Darnley," wrote Randolph on the 20th of December,¹ "followeth his pastimes more than the Queen is content withal; what it will breed hereafter I cannot say, but in the mean time there is some misliking between them."

It was seen how Darnley at the time of his marriage grasped at the title of king. As he found his wishes thwarted he became anxious, and his kinsmen with him, that the name should become a reality, and "the crown matrimonial" be legally secured to him at the approaching Parliament. But there were signs abroad that his wish would not be acceded to; Mary Stuart was unwilling to part with her power for the same reason that Darnley required it.

¹ *Scotch MSS. Rolls House.*

February.
Differences
between the
Queen of
Scots and
her hus-
band.

The crown
matrimonial.

On Christmas-day Randolph wrote again of "strange alterations." "A while ago," he said,¹ "there was nothing but King and Queen; now the Queen's husband is the common word. He was wont in all writings to be first named; now he is placed in the second. Lately there were certain pieces of money coined with their faces *Henricus et Maria*; these are called in and others framed. Some private disorders there are among themselves; but because they may be but *amantium iræ* or 'household words' as poor men speak, it makes no matter if it grow no further."

In January a marked affront was passed on Darnley. M. Rambouillet brought from Paris "the Order of the Cockle" for him. A question rose about his shield. Had "the crown matrimonial" been intended for him he would have been allowed to bear the royal arms. The Queen coldly "bade give him his due," and he was enrolled as Duke of Rothsay and Earl of Ross.² Darnley retaliated with vulgar brutality. He gave roistering parties to the young French noblemen in Rambouillet's train and made them drunk.³

One day he was dining with the Queen at the house of a merchant in Edinburgh. He was drinking hard as usual, and when she tried to check him "he not only paid no attention to her remonstrance, but also gave her such words as she left the place with tears." Something else happened also, described as "vicious," the nature of which may be guessed at, at some festivity or other on "Inch Island;"⁴ and as a natural consequence the Queen

Loose living
of Darnley.

¹ *Scotch MSS. Rolls House.*

² Knox; *History of the Reformation.*

³ "Sick with draughts of aqua composita."

⁴ Sir William Drury to Cecil, February 16: *Cotton MSS., Calig. B. 10.*
Printed in Keith.

“withdrew her company” from the Lord Darnley; a staircase connected their rooms, but they slept apart.¹

Side by side with the estrangement from her husband, Mary Stuart admitted Ritzio to closer and closer intimacy. Signor David, as he was called, became the Queen’s inseparable

Intimacy
between
Mary Stuart
and Ritzio.

companion in the council-room and the cabinet. At all hours of the day he was to be found with her in her apartments. She kept late hours, and he was often alone with her till midnight. He had the control of all the business of the State; as Darnley grew troublesome his presence was dispensed with at the Council, and a signet, the duplicate of the King’s, was intrusted to the favoured secretary. Finding himself so deeply detested by the adherents of Lennox, Ritzio induced the Queen to show favour to those among the banished Lords who were most hostile to the King and were least determined in their Protestantism. Chatelherault was pardoned and allowed to return as a support against the Lennox faction in case of difficulty;² while among the Congregation — as was seen in one of Randolph’s letters — the worst construction was placed on the relations between the Queen and the favourite.

Thus a King’s party and a Queen’s party had shaped themselves within six months of the marriage: Scotland was the natural home of conspiracies, for law was powerless there, and social duty was overridden

¹ Ruthven’s *Narrative*: Keith.

² “The Duke of Chatelherault, finding so favourable address, hath much displeased both the King and his father, who is in great misliking of the Queen. She is very weary of him. Thus it is that those that depend wholly on him are not liked of her, nor they that follow her in like manner are not liked of him, as David and others. If there should between her and the Lord Darnley arise such controversy as she could not well appease, the Duke’s aid she would use.” — Drury to Cecil, February 16: *Cotton MSS., Calig. B.* 10.

by the more sacred obligation of affinity or private bond. On the 13th of February (the date is important) Randolph thus wrote to Leicester : —

“I know now for certain that this Queen repenteth her marriage, that she hateth the King and all his kin ; I know that he knoweth himself that he hath a partaker in play and game with him ; I know that there are practices in hand contrived between the father and the son to come by the crown against her will ; I know that if that take effect which is intended, David, with the consent of the King, shall have his throat cut within these ten days. Many things and grievous and worse are brought to my ears, yea of things intended against the Queen’s own person.”¹

It was observed on the first return of Lennox that the enmities and friendships of his family intersected and perplexed the leading division between Catholics and Protestants. Lord Darnley had been brought to Scotland as the representative of the English Catholics and as a support to the Catholic faction ; but it was singular that the great Scottish families most nearly connected with him were Protestants ; while the Gor-

Divisions in
the Prot-
estant
party.

dons, the Hamiltons, the Betons, the relations generally of Chatelherault, who was Lennox’s principal rival, were chiefly on the opposite side. The confusion hitherto had worked ill for the interests of the Reformers. The House of Douglas had preferred the claims of blood to those of religion : the Earl of Ruthven, though Murray’s friend, was Darnley’s uncle,² and had stood by the Queen

¹ Printed in Tytler’s *History of Scotland*.

² Ruthven had married a half-sister of Lady Margaret Lennox.

through the struggle of the summer ; Lindsay, a Protestant to the backbone, had married a Douglas and went with the Earl of Morton ; the desire to secure the crown to a prince of their own blood and race had overweighed all higher and nobler claims.

The desertion of so large a section of his friends had been the real cause of Murray's failure ; Protestantism was not dead in Scotland, but other interests had paralyzed its vitality, just as four years before Murray's eagerness to secure the English succession for his sister had led him into his first and fatal mistake of supporting her in refusing to ratify the Treaty of Edinburgh. The quarrel between the Queen and her husband flung all parties back into their natural places ; Lennox, who twenty years before had been brought in from France in the interest of Henry the Eighth as a check on Cardinal Beton, drifted again into his old position in the front of the Protestant league ; and Darnley's demand for the matrimonial crown, though in himself the mere clamour of disappointed vanity, was maintained by powerful noblemen, who though they neither possessed nor deserved the confidence of the Reformers, yet were recognizing too late that they had mistaken their interest in leaving them.

But the matrimonial crown it became every day more clear that Darnley was not to have ; ^{Jealousy and dislike of Ritzio.} Ritzio above all others was held responsible for the Queen's resolution to refuse it, and for this, as for a thousand other reasons, he was gathering hatred on his devoted head. A foreigner, who had come to Scotland two years before as a wandering musician, was thrusting himself into the administration of the country, and pushing from their places the fierce lords who had been accustomed to dictate to their sovereign.

As a last stroke of insolence, he was now aiming at the Chancellorship, of which the Queen was about to deprive, in his favour, the great chief of the House of Douglas.

While their blood was set on fire with these real and fancied indignities, Lord Darnley, if his word was to be believed, went one night between twelve and one to the Queen's room. Finding the door locked he knocked, but could get no answer. At length, after he had called many times, and had threatened to break the lock, the Queen drew back the bolt. He entered, and she appeared to be alone, but on searching he found Ritzio half-dressed, in a closet.¹

Darnley's word was not a good one : he was capable of inventing such a story to compass his other purposes, or if it was true it might have been innocently explained. The Queen of Scots frequently played cards with Ritzio late into the night, and being a person entirely careless of appearances, she might easily have been alone with him with no guilty intention under the conditions which Darnley described. However it was, he believed or pretended that he had

Darnley
accuses the
Queen of
unfaithful-
ness.

found evidence of his dishonour, and communicated his discovery to Sir George Douglas, another of his mother's brothers, who, at Darnley's desire, on the 10th of February informed the Earl of Ruthven.

¹ " L'une cause de la mort de David est que le Roy quelques jours auparavant, environ une heure après minuit, seroit allé heurter à la chambre de ladite dame, qui estoit audessus de la sienne; et d'autant que après avoir plusieurs fois heurté l'on ne luy respondoit point il auroit apellé souvent la Royne, la priant de ouvrir, et enfin la menaçant de rompre la porte; à cause de quoy elle lui auroit ouvert. Laquelle lediet Roy trouva seule dedans ladite chambre; mais ayant cherché partout il auroit trouvé dedans son cabinet lediet David en chemise, couvert seulement d'une robe fourrée." — Analyse d'une dépêche de M. de Foix à la Reyne mère: Teulet, Vol. II. p. 267.

Once before, it appeared, "the nobility had given Darnley counsel suitable to his honour" — that is to say, they had intimated to him their own views of Ritzio's proceedings and character. Darnley had betrayed them to the Queen, who had of course been exasperated. Ruthven had been three months ill; he was then scarcely able to leave his bed, and was inclined at first to run into no further trouble; but pressed at length by Darnley's oaths and entreaties, he saw in what had occurred an opportunity for undoing his work of the summer, and for bringing back the banished Lords. Parliament was to meet in the first week in March to proceed with the forfeitures, so that no time was to be lost. Ruthven consulted Argyle, who was ready to agree to anything which would save Murray from attainder. Maitland, who, since his conduct about the marriage, had been under an eclipse, gave his warm adhesion; and swiftly and silently the links of the scheme were welded. Conspiracy to kill Ritzio and restore Murray. The plan was to punish the miserable minion who, whatever his other offences, was notoriously the chief instigator of the Queen's bitterness against her brother, and to give the coveted crown matrimonial to Darnley, provided he on his part "would take the part of the Lords, bring them back to their old rooms, and establish religion as it was at the Queen's home-coming."¹

The conspirators, for their mutual security, drew a "bond," to which they required Darnley's signature, that he might not afterwards evade his responsibility. On their side, they "undertook to be liege subjects to the said Prince Henry, to take part with him in all his lawful actions, causes, and quarrels, to be friends to his

¹ Randolph to Cecil, February 20: *Scotch MSS. Rolls House.*

friends and enemies to his enemies." At the Parliament they would obtain for him "the crown matrimonial for his life;" and "failing the succession of their sovereign, they would maintain his right to the crown of Scotland after her death." Religion should be "maintained and established as it was on the arrival of their sovereign lady in the realm." "They would spare neither life, lands, goods, nor possessions in setting forward all things to the advancement of the said noble prince, and would intercede with the Queen of England for favour to be shown both to himself and to his mother."

Darnley promised in return that the banished noblemen "should have free remission of all their faults" as soon as the possession of the crown matrimonial enabled him to pardon them, and till he obtained it he undertook to prevent their impeachment. The Lords might return at once to Scotland in full possession of "their lands, titles, and goods." If they "were meddled with," he would stand by them to the uttermost, and religion should be established as they desired.¹

Copies of these articles were carried by swift messengers to Newcastle. Ritzio's name was not mentioned; there was nothing in them to show that more was intended than a forcible revolution on the meeting of Parliament; and such as they were, they were promptly signed by Murray and his friends. Argyle subscribed, Maitland subscribed, Ruthven subscribed; Morton hesitated, but at the crisis of his uncertainty, Mary Stuart innocently carried out her threat of depriving him of the Chancellorship, and he added his name in a paroxysm of anger. It need not be supposed that the further secret was unknown to any of

¹ Bond subscribed March 6, 1566: *Scotch MSS. Rolls House.*

them, but it was undesirable to commit the darker features of the plot to formal writing.

Meanwhile the Queen of Scots, all unconscious of the deadly coil which was gathering round her, had chosen the moment to order Randolph to leave Scotland. She entertained not the faintest suspicion of the conspiracy, but she knew that the English ambassador had shared Murray's secrets, that he had been Elizabeth's instrument in keeping alive in Scotland the Protestant faction, and that so long as he remained, the party whom she most detested would have a nucleus to gather round. Believing that she could do nothing which Elizabeth would dare to resent, she called him before the Council, charged him with holding intercourse with her rebels, and bade him begone.¹ The opportunity was ill selected, for Elizabeth had been for some time recovering her firmness; she had sent Murray money for his private necessities; in the middle of February she had so far overcome both her economy and her timidity that she supplied him with a thousand pounds, "to be employed in the common cause and maintenance of religion;"² and before she heard of the treatment of Randolph, she had taken courage to write with something of her old manner to the Queen of Scots herself.

"She had not intended," she said, "to have written on the subject again to her, but hearing that her intercession hitherto in favour of the Lords had been not only fruitless, but that at the approaching Parliament

Randolph is expelled from Scotland.

¹ The Queen of Scots to Elizabeth, February 20: *Scotch MSS. Rolls House*.

² Acknowledgment by the Earl of Murray of the receipt of money: from the Queen's Majesty, February, 1566: *MSS. Ibid.*

the Queen of Scots meant to proceed to the worst extremities, she would no longer forbear to speak her mind." The Earl of Murray had risen in arms against her only to prevent her marriage and for the defence of his own life from the malice which was borne him; he was the truest and best of her subjects; and therefore, she said, "in the interest of both the realms we are moved to require you to have that regard that the Earl and others with him may be received to your grace, or if not that you will forbear proceeding against him and the others until some better opportunity move you to show them favour."¹

In this mood Elizabeth was not inclined to bear with patience the dismissal of her ambassador. Proudly and coldly she replied to Mary Stuart's announcement of what she had done, "that inasmuch as the Queen of Scots had been pleased to break the usages of nations and pass this affront upon her, as this was the fruit of the long forbearance which she had herself shown, she would be better advised before she entered into any further correspondence; she would take such measures as might be necessary for her own defence; and for the Earl of Murray, to deal plainly, she could not for her honour and for the opinion she had of his sincerity and loyalty towards his country but see him relieved in England, whereof she thought it convenient to advertise the Queen of Scots: if harm came of it

March. she trusted God would convert the evil to those that were the cause of it."²

The first and probably the second of these letters never reached their destination; the events which were

¹ Elizabeth to the Queen of Scots, February 24: *Scotch MSS. Rolls House*.

² Same to same, March 3: *Lansdowne MSS. 8*.

going forward in Scotland rendered entreaties and threats in behalf of Murray alike unnecessary.¹ Randolph, though ordered off, was unwilling to go till he saw the execution of the plot: he made excuses for remaining till an escort came to his door with orders to see him over the frontiers, and he was compelled to obey. Bothwell met him on the road to Berwick with apologies and protests; but Randolph said he knew that Bothwell and one other — no doubt Ritzio — were those who had advised his expulsion. They desired to force Elizabeth to declare war, when Bothwell hoped “to win his spurs.”²

Far enough was the Queen of Scots from the triumphant war which she was imagining; far enough was Bothwell from his spurs, and Ritzio from his Chancellorship and the investiture of the lands of Murray. The mine was dug, the train was laid, the match was lighted, to scatter them and their projects all to the winds.

The Parliament was summoned for Monday the 11th of February; on the 12th the Bill of Attainder against the Lords was to be brought forward and pressed to immediate completion. On Friday the 8th the conspirators sent a safe-conduct signed by Darnley to bring Murray back to Scotland. Lord Hume had been gained over and had undertaken to escort his party through the marches, and before the Earl and his companions could reach Edinburgh all would be over.³

The outline of the intended proceedings was sketched

¹ “A great business is in hand in Scotland, which will bring about the recall of the Earl of Murray, so that we have forborne to forward your Majesty’s letters in his behalf.” — Randolph and Bedford to Elizabeth, March 6: *Scotch MSS. Rolls House.*

² Randolph to Cecil, March 6: *MS. Ibid.*

³ Bedford and Randolph to Cecil and Leicester, March 8: *MS. Ibid.*

by Randolph for Cecil's information on his arrival at Berwick.

BEDFORD AND RANDOLPH TO CECIL.¹

Berwick, March 6.

“The Lord Darnley, weary of bearing the name of a king and not having the honour pertaining to such a dignity, is in league with certain of the lords for a great attempt, whereby the noblemen now out of their country may without great difficulty be restored and in the end tranquillity ensue in that country. Somewhat we are sure you have heard of diverse discords and jars between the Queen and her husband ; partly for that she hath refused him the crown matrimonial, partly for that he hath assured knowledge of such usage of himself as altogether is intolerable to be borne, which if it were not over-well known we would both be very loth that it could be true. To take away this occasion of slander he is himself determined to be at the apprehension and execution of him whom he is able manifestly to charge with the crime, and to have done him the most dishonour that can be to any man, much more being as he is. We need not more plainly describe the person — you have heard of the man whom we mean.

“The time of execution and performance of these matters is before the Parliament, as near as it is. To this determination there are privy in Scotland these — Argyle, Morton, Ruthven, Boyd, and Lidington ; in England these — Murray, Grange, Rothes, myself (Bedford), and the writer hereof (Randolph).

If the Queen will not yield to persuasion, we know not how they propose to proceed. If she make a power

¹ *Scotch MSS. Rolls House.*

*A sketch of
the plot is
sent to Cecil.*

at home she will be fought with ; if she seek aid from abroad the country will be placed at the Queen's Majesty's disposal to deal as she think fit."

In the blindness of confidence, and to prevent the chance of failure in Parliament, Mary Stuart had collected the surviving peers of the old ^{Meeting of the Scotch Parliament.} "spiritual estate," the Catholic bishops and abbots, and placed them "in the antient manner," intending, as she herself declared,¹ "to have done some good anent the restoring the auld religion, and to have proceeded against the rebels according to their demerits." On Thursday the 7th she presided in person at the choice of the Lords of the Articles, naming with her own mouth "such as would say what she thought expedient to the forfeiture of the banished Lords ;"² and on Friday there was a preliminary meeting at the Tolbooth to prepare the Bill of Attainder. The Lords of the Articles,³ carefully as they had been selected, at first reported "that they could find no cause sufficient for so severe a measure."⁴ The next day — Saturday — the Queen appeared at the Tolbooth in person, and after "great reasoning and opposition" carried her point. "There was no other way but the ^{Intended attainder of} Lords should be attainted."⁵ The Act was ^{Murray.} drawn, the forfeiture was decreed, and required only the sanction of the Estates.⁶

¹ The Queen of Scots to the Archbishop of Glasgow, April 2: Keith.

² Ruthven's *Narrative*. — "Who chose the Lords of the Articles?" Ruthven said to the Queen. "Not I," said the Queen. "Saving your presence," said he, "you chose them all, and nominated them"

³ The Lords of the Articles were a committee chosen from the Three Estates, and according to law, chosen *by* the Estates, to prepare the measures which were to be submitted to Parliament.

⁴ Ruthven's *Narrative*.

⁵ Knox.

⁶ The Queen of Scots to the Archbishop of Glasgow, April 2: Keith

The same day, perhaps at the same hour, when Mary Stuart was exulting in the consciousness of triumph, the conspirators were completing their preparations. Sunday the 10th had been the day on which they had first fixed to strike their blow. But Darnley was impatient. He swore that "if the slaughter was not hasted" he would stab David in the Queen's presence with his own hand. Each hour of delay was an additional risk of discovery, and it was agreed that the deed should be done the same evening. Ruthven proposed to seize Ritzio in his own room, to try him before an extemporized tribunal, and to hang him at the market cross. So commonplace a proceeding however would not satisfy the imagination of Darnley, who desired a more dramatic revenge; he would have his enemy seized in the Queen's own room, in the very sanctuary of his intimacy; "where she might be taunted in his presence because she had not entertained her husband as she ought of duty." The ill-spirited boy, in retaliation for treatment which went, it is likely, no further than coldness and contempt, had betrayed or invented his own disgrace, to lash his kindred into fury and to break the spirit of the proud woman who had humbled him with her scorn.

The Queen's friends — Huntly, Athol, Sutherland, Bothwell, Livingston, Fleming, Sir James Balfour, and others — were in Edinburgh for the Parliament, and had rooms in Holyrood; but as none of them dreamt of danger there were no troops there but the ordinary guard, which was scanty and could be easily overpowered. It was arranged that as soon as darkness had closed in, the Earl of Morton, with a party of the Douglasses and their kindred, should silently surround the palace: at eight o'clock the doors should be seized and

no person permitted to go out or in; while Morton himself, with a sufficient number of trusted friends, should take possession of the staircase leading to the Queen's rooms, and cut off communication with the rest of the building. Meanwhile the rest —

But a plan of the rooms is necessary to make the story intelligible. The suite of apartments occupied by Mary Stuart were on the first floor in the northwest angle of Holyrood Palace. They communicated in the usual way by a staircase with the large inner quadrangle. A door from the landing led directly into the presence chamber; inside the presence chamber was the bedroom; and beyond the bedroom a small cabinet or boudoir not more than twelve feet square, containing a sofa, a table, and two or three chairs. Here after the labours of the day the Queen gave her little supper parties. Darnley's rooms were immediately below, connected with the bedroom by a narrow spiral staircase, which opened close to the little door leading into the cabinet.

Plan of the
Queen's
rooms in
Holyrood.

“Knowing the King's character, and that he would have a lusty princess afterwards in his arms,” the conspirators required his subscription to another bond, by which he declared that all that was done “was his own device and intention;” and

The murder
of Ritzio.

then after an early supper together, Ruthven, though so ill that he could hardly stand, with his brother George Douglas, Ker of Faldonside, and one other, followed Darnley to his room, and thence with hushed breath and stealthy steps they ascended the winding stairs. A tapestry curtain hung before the cabinet. Leaving his companions in the bedroom, Darnley raised it and entered. Supper was on the table; the Queen was sitting on the sofa, Ritzio in a chair opposite to her,

and Murray's loose sister, the Countess of Argyle, on one side. Arthur Erskine the equerry, Lord Robert Stuart, and the Queen's French physician were in attendance standing.

Darnley placed himself on the sofa at his wife's side. She asked him if he had supped. He muttered something, threw his arm round her waist, and kissed her. As she shrunk from him half surprised, the curtain was again lifted, and against the dark background, alone, his corslet glimmering through the folds of a crimson sash, a steel cap on his head, and his face pale as if he had risen from the grave, stood the figure of Ruthven.

Glaring for a moment on Darnley, and answering his kiss with the one word "Judas," Mary Stuart confronted the awful apparition, and demanded the meaning of the intrusion.

Pointing to Ritzio, and with a voice sepulchral as his features, Ruthven answered:

"Let yon man come forth; he has been here over long."

"What has he done?" the Queen answered; "he is here by my will." "What means this?" she said, turning again on Darnley.

The caitiff heart was already flinching. "Ce n'est rien!" he muttered. "It is nothing!"¹ But those whom he had led into the business would not let it end in nothing.

"Madame," said Ruthven, "he has offended your honour; he has offended your husband's honour; he

¹ Bedford and Randolph in their report from Berwick, said the King answered, "It was against her honour." But these words were used by Ruthven. An original report, printed by Teulet, Vol. II. p. 262, compared with that given by Mary herself in the letter to the Archbishop of Glasgow, printed in Keith, creates a belief that the words in the text were those which Darnley really used. They are more in keeping with his character.

has caused your Majesty to banish a great part of the nobility that he might be made a lord ; he has been the destroyer of the commonwealth, and must learn his duty better."

"Take the Queen your wife to you," he said to Darnley, as he strode forward into the cabinet.

The Queen started from her seat "all amazed," and threw herself in his way, while Ritzio cowered trembling behind her and clung to her dress.

Stuart, Erskine, and the Frenchman, recovering from their astonishment, and seeing Ruthven apparently alone, "made at him to thrust him out."

"Lay no hands on me," Ruthven cried, and drew his dagger ; "I will not be handled." In another moment Faldonside and George Douglas were at his side. Faldonside held a pistol at Mary Stuart's breast ; the bedroom door behind was burst open, and the dark throng of Morton's followers poured in. Then all was confusion ; the table was upset, Lady Argyle catching a candle as it fell. Ruthven thrust the Queen into Darnley's arms and bade him hold her ; while Faldonside bent Ritzio's little finger back till he shrieked with pain, and loosed the convulsive grasp with which he clung to his mistress.

"Do not hurt him," Mary said, faintly. "If he has done wrong he shall answer to justice."

"This shall justify him," said the savage Faldonside, drawing a cord out of his pocket. He flung a noose round Ritzio's body, and while George Douglas snatched the King's dagger from its sheath, the poor wretch was dragged into the midst of the scowling crowd and borne away into the darkness. He caught Mary's bed as he passed ; Faldonside struck him sharply on the wrist ; he let go with a shriek, and as

he was hurried through the anteroom the cries of his agony came back upon Mary's ear: "Madame, madame, save me! save me!—justice—I am a dead man! spare my life!"

Unhappy one! his life would not be spared. They had intended to keep him prisoner through the night, and hang him after some form of trial; but vengeance would not wait for its victim. He was borne alive, as far as the stairhead, when George Douglas, with the words, "This is from the King," drove Darnley's dagger into his side: a moment more and the whole fierce crew were on him like hounds upon a mangled wolf; he was stabbed through and through, with a hate which death was not enough to satisfy, and was then dragged head foremost down the staircase, and lay at its foot with sixty wounds in him.

So ended Ritzio, unmourned by living soul, save her whose favour had been his ruin, unheeded, now that he was dead, as common carrion, and with no epitaph on his remains except a few brief words from an old servant of the palace, so pathetic because so commonplace. The body was carried into the lodge and flung upon a chest to be stripped for burial. "Here is his destiny," the porter moralized as he stood by; "for on this chest was his first bed when he came to this place, and there now he lieth, a very niggard and misknown knave."¹

The Queen meanwhile fearing the worst, but not knowing that Ritzio actually was dead, had struggled into her bedroom, and was there left with Ruthven and her husband. Ruthven had followed the crowd for a moment, but not caring to leave Darnley alone with her, had returned. She had thrown herself sob-

¹ Ruthven's *Narrative*.

bing upon a seat; the Earl bade her not be afraid, no harm was meant to her; what was done was by the King's order.

"Yours!" she said, turning on Darnley as on a snake; "was this foul act yours? Coward! wretch! did I raise you out of the dust for this?"

Driven to bay, he answered sullenly that he had good cause; and then his foul nature rushing to his lips, he flung brutal taunts at her for her intimacy with Ritzio, and complaints as nauseous of her treatment of himself.¹

"Well," she said, "you have taken your last of me, and your farewell; I shall never rest till I give you as sorrowful a heart as I have at this present."

Ruthven tried to soothe her, but to no purpose. Could she have trampled Darnley into dust upon the spot she would have done it. Catching sight of the empty scabbard at his side, she asked him where his dagger was.

He said he did not know.

"It will be known hereafter," she said; "it shall be dear blood to some of you if David's be spilt. Poor David!" she cried, "good and faithful servant! may God have mercy on your soul."

Fainting between illness and excitement, Ruthven

¹ The expressions themselves are better unproduced. The conversation rests on the evidence of Ruthven, which is considerably better than Darnley's, and if it was faithfully related might justify Randolph's view of the possible parentage of James the Sixth. But the recollection of a person who had been just concerned in so tremendous a scene was not likely to be very exact. Bedford and Randolph believed the worst: "It is our part," they said in a despatch to the English Council, "rather to pass the matter over in silence than to make any rehearsal of things committed to us in secret; but we know to whom we write;" and they went on to describe the supposed conversation word for word as Ruthven related it. Those who are curious in Court scandals may refer to this letter, which has been printed by Mr. Wright in the first volume of *Elizabeth and her Times*.

with a half apology sank into a chair and called for wine.

"Is this your sickness?" she said bitterly. "If I die of my child, and the commonwealth come to ruin, there are those who will revenge me on the Lord Ruthven." Running over the proud list of friends with which she had fooled her fancy, she threatened him with Philip, and Charles, and Maximilian, and her uncles, and the Pope.

"Those are over great persons," Ruthven answered, "to meddle with so poor a man as me. No harm is meant you. If aught has been done to-night which you dislike, your husband, and none of us, is the cause."

The courage and strength with which the Queen had hitherto borne up began to give way.

"What — what have I done to be thus handled?" she sobbed.

"Ask your husband," said the Earl.

"No," she said, "I will ask you. I will set my crown before the Lords of the Articles, and if they find I have offended, let them give it where they please."

"Who chose the Lords of the Articles?" Ruthven answered with a smile; "you chose them all."

At this moment the boom was heard of the alarm bell in Edinburgh. A page rushed in to say that there was fighting in the quadrangle; and the Earl, leaning heavily on a servant's arm, rose and went down. Huntly, Sutherland, and Bothwell, hearing the noise and confusion, had come out of their rooms to know what it meant. Morton's followers required them to surrender: they had called a few servants about them, and were defending themselves against

heavy odds when Ruthven appeared. Ill as he was, he thrust himself into the mêlée, commanded both sides to drop their arms, and by the glare of a torch read to them Darnley's bond. "The banished earls," he said, "would be at Holyrood in the morning, and he prayed that all feuds and passions might be buried in the dead man's grave."

The Queen's friends, surprised and outnumbered, affected to be satisfied; the leaders on both sides shook hands; and Bothwell and Huntly withdrew to their own apartments, forced open the windows, dropped to the ground and fled.

This disturbance was scarcely over when the Provost of Edinburgh came out of the Canongate with four hundred of the town guard, and demanded the meaning of the uproar. The Provost was a supporter of the Queen; Mary dashed from her seat, wrenched back the casement, and cried out for help.

"Sit down," some ruffian cried. "If you stir you shall be cut in collops and flung over the walls."¹ She was dragged away, and Darnley, whose voice was well known, called out that the Queen was well, that what had been done was done by orders from himself, and that they might go home. The citizens bore no good will to Ritzio: too familiar with wild scenes to pay much heed to them, they inquired no further, and went back to their homes, leaving eighty of their number to assist Morton in the guard of the palace.

Ruthven returned for a moment, but only to call Darnley away and leave the Queen to her rest. The King withdrew, and with him all the other actors in

¹ The speaker is not known. Mary says in her letter to the Archbishop of Glasgow, "The Lords in our face declared that we should be cut down." It was not Ruthven, who was still absent.

the late tragedy who had remained in the scene of it. The ladies of the court were forbidden to enter, and Mary Stuart was locked alone into her room amidst the traces of the fray, to seek such repose as she could find.

So closed Saturday the 9th of March at Holyrood.

Murder of
Adam Black.

The same night another dark deed was done in Edinburgh, which passed scarce noticed in the agitation of the murder of Ritzio. Mary of Lorraine, the year before her death, had a chaplain named Adam Black; he was a lax kind of man, and after being detected in sundry moral improprieties, had been banished to England, where he held a cure in the English Church near Newcastle. His old habits remained with him: he acknowledged to Lord Bedford one bad instance of seduction; but it is to be supposed that he had merit of some kind, for Mary Stuart, as soon as she was emancipated from the first thralldom of the Puritans, recalled him, took him into favour, and appointed him one of the court preachers. He had better have remained in Northumberland. A citizen encountered him a little before Christmas in some room or passage where he should not have been. He received "two or three blows with a cudgel and one with a dagger," and had been since unable to leave his bed. While Edinburgh was shuddering over the scene in the palace, a brother or husband who had matter against the chaplain — the same, perhaps, who had stabbed him — finished his work, and murdered the wounded wretch where he lay.¹

In the morning at daybreak a proclamation went out in the King's name that the Parliament was postponed, and that "all bishops, abbots, and Papists should depart the town." Murray was expected in a

¹ Randolph to Cecil, March 13: *Scotch MSS. Rolls House.*

few hours ; no one knew how deep or how far the conspiracy had gone, and the Catholics, uncertain what to do, offered no resistance. What was to be done with the Queen was the next difficulty. They had caged their bird, but it might be less easy to hold her ; and if they believed the Queen was crushed or broken, the conspirators knew little of the temper which they had undertaken to control : sleeping behind that grace of form and charm of manner there lay a spirit which no misfortune could tame — a nature like a panther's, merciless and beautiful — and along with it every dexterous art by which women can outwit the coarser intellects of men.

In the silence and solitude of that awful night, she nerved herself for the work before her. With the grey of the twilight she saw Sir James Melville passing under her window, and called to him to bring the city guard and rescue her ; but Melville bowed and passed on ; at that moment rescue was impossible ; she had nothing to depend upon but her own courage and her husband's folly. Could she escape, her friends would rally round her, and her first thought was to fly in the disguise of one of her gentlewomen. But to escape alone, even if possible, would be to leave Darnley with the Lords ; she resolved to play a bolder game, to divide him from them, and carry him off, and to leave them without the name of a king to shield their deed.

In the first agony of passion, she had been swept away from her self-control, and she had poured on her husband the full stream of her hate and scorn. He returned to her room on the Sunday morning to find her in appearance subdued, composed, and affectionate. To Mary Stuart it was an easy

Mary Stuart
gains over
Darnley

matter to play upon the selfish, cowardly, and sensual nature of Darnley. As Ruthven had foreseen, she worked upon him by her caresses; she persuaded him that he had been fatally deceived in his supposed injuries; but she affected to imagine that he had been imposed on by the arts of others, and when he lied she pretended to believe him. She uttered no word of reproach, but she appealed to him through the child — his child — whose safety was endangered; and she prayed that at least, situated as she was, she might not be left entirely among men, and that her ladies might be allowed to attend her.

Soft as the clay of which he was made, Darnley obtained the reluctant consent of Morton and Ruthven. The ladies of the palace were admitted to assist at the Queen's morning toilet, and the instant use she made of them was to communicate with Huntly and Bothwell. The next point was to obtain larger liberty for herself. Towards the afternoon "she made as though she would part with her child;" a midwife was sent for, who with the French physician insisted that she must be removed to a less confined air. To Darnley she maintained an attitude of dependent tenderness; and fooled in his idle pride by the prayers of the woman whom he believed that he had brought to his feet, he was led on to require that the guard should be removed from the gate, and that the exclusive charge of her should be committed to himself.

The conspirators, "seeing that he was growing effeminate, liked his proposals in no way;" they warned him that if he yielded so easily "both he and they would have cause to repent;" and satisfied that the threat of miscarriage was but "trick and policy," they refused to dismiss a man from his post, and watched the palace with unremitting vigilance.

So passed Sunday. As the dusk closed in a troop of horse appeared on the road from Dunbar. In a few moments more the Earl of Murray was at the gate. Return of
Murray.

It was not thus that Mary Stuart had hoped to meet her brother. His head sent home by Bothwell from the Border, or himself brought back a living prisoner, with the dungeon, the scaffold, and the bloody axe—these were the images which a few weeks or days before she had associated with the next appearance in Edinburgh of her father's son. Her feelings had undergone no change. He knew some secrets about her which she could not pardon the possessor, and she hated him with the hate of hell; but the more deep-set passion paled for the moment before a thirst for revenge on Ritzio's murderers.

On alighting the Earl was conducted immediately to the Queen's presence. The accomplished actress threw herself sobbing into his arms.

"Oh my brother," she said as she kissed him, "if you had been here I should not have been so uncourtously handled."

Murray had "a free and generous nature." But a few hours had passed since she had forced the unwilling Lords of the Articles to prepare a Bill of Attainder against him; but her shame, her seeming helplessness, and the depth of her fall touched him, and he shed tears.

The following morning Murray, Ruthven, Morton, and the rest of the party, met to consider the next step which they should take. Little is known of their deliberations except from the suspected source of a letter from Mary Stuart to the Archbishop of Glasgow. Some, she said, proposed to keep her a

March 11.

perpetual prisoner, some to put her to death, some "that she should be warded in Stirling Castle till she had approved in Parliament what they had done, established their religion, and given to the King the whole government of the realm."

Some measure of this sort they were without doubt prepared to venture; it had been implied in the very nature of their enterprise: yet to carry it out they required Darnley's countenance, and fool and coward as they knew him to be, they had not fathomed the depth of his imbecility and baseness. While the Lords were in consultation, the Queen had wormed the whole secret from him; he told her of the plot for the return of Murray and his friends, with the promises which had been made to himself; he revealed every name that he knew, concealing nothing save that the murder had been his own act and design and provoked by his accusations against herself; he had forgotten that his own handwriting could be produced in deadly witness against him. From that moment she played upon him like an instrument; she showed him that if he remained with the Lords he would be a tool in their hands; she assured him of the return of her own affection for him, and flattered his fancy with visions of greatness which might be in store for him if he would take his place again at her side; she talked of "his allies the confederate princes," who would be displeased if he changed his religion; she appealed again to the unborn heir of their united greatness, and she bound him soul and body to do her bidding.

After possessing him with the plans which she had formed to escape, she sent him to the Lords to promise in her name that she was ready to forget the past, and to bury all unkindness in a general reconciliation.

They felt instinctively that what they had done could never really be pardoned ; but Ruthven, Morton, and Murray returned with Darnley to her presence, when again with the seeming simplicity of which she was so finished a mistress, she repeated the same assurances. She was ready, she said, to bind herself in writing if they would not trust her word ; and while the two other noblemen were drawing a form for her to sign, she took Murray by the hand and walked with him for an hour. She then retired to her room. Darnley, as soon as the bond was ready, took charge of it, promising to return it signed on the following day ; and meanwhile he pressed again that after so much concession on her part they were bound to meet her with corresponding courtesy, and to spare her the ignominy of being longer held a prisoner in her own palace.

Had they refused to consent, an attempt would have been made that night by Bothwell to carry her off by force. But to reject the request of Darnley, whose elevation to a share of the throne was the professed object of the conspiracy, was embarrassing and perhaps dangerous ; they gave way after another warning ; the guard was withdrawn, Ruthven protesting as he yielded that " whatever bloodshed followed should be on the King's head."

The important point gained, Darnley would not awake suspicion by returning to the Queen ; he sent her word privately that " all was well ; " and at eight in the evening Stewart of Traquair, Captain of the Royal Guard, Arthur Erskine, " whom she would trust with a thousand lives," and Standen, a young and gallant gentleman, assembled in the Queen's room to arrange a plan for the escape from Holyrood. The first question was where she was to go. Though the

gates were no longer occupied, the palace would doubtless be watched; and to attempt flight and to fail would be certain ruin. In the Castle of Edinburgh she would be safe with Lord Erskine, but she could reach the castle only through the streets, which would be beset with enemies; and unfit as she was for the exertion she determined to make for Dunbar.

She stirred the blood of the three youths with the most touching appeal which could be made to the generosity of man. Pointing to the child that was in her womb she adjured them by their loyalty to save the unborn hope of Scotland. So addressed they would have flung themselves naked on the pikes of Morton's troopers. They swore they would do her bidding be it what it would; and then "after her sweet manner and wise directions, she dismissed them till midnight to put all in order as she herself excellently directed."

Mary Stuart
prepares to
escape.

"The rendezvous appointed with the horses was near the broken tombs and demolished sepulchres in the ruined Abbey of Holyrood."¹ A secret passage led underground from the palace to the vaults of the abbey; and at midnight Mary Stuart, accompanied by one servant and her husband, — who had left the Lords under pretence of going to bed, — "crawled through the charnel-house, among the bones and skulls of the antient kings," and "came out of the earth" where the horses were shivering in the March midnight air.

The moon was clear and full. "The Queen with incredible animosity was mounted *en croup* behind Sir Arthur Erskine upon a beautiful English double gelding," "the King on a courser of Naples;" and then away — away — past Restalrig, past

Flight to
Dunbar.

¹ Then standing at the southeastern angle of the Royal Chapel.

Arthur's Seat, across the bridge and across the field of Musselburgh, past Seton, past Prestonpans, fast as their horses could speed; "six in all — their Majesties, Erskine, Traquair, and a chamberer of the Queen." In two hours the heavy gates of Dunbar had closed behind them, and Mary Stuart was safe.¹

Whatever credit is due to iron fortitude and intellectual address, must be given without stint to this extraordinary woman. Her energy grew with exertion; the terrible agitation of the three preceding days, the wild escape, and a midnight gallop of more than twenty miles within three months of her confinement, would have shaken the strength of the least fragile of human frames: but Mary Stuart seemed not to know the meaning of the word exhaustion; she had scarce alighted from her horse than couriers were flying east, west, north, and south, to call the Catholic nobles to her side; she wrote her own story to her minister at Paris, bidding the Archbishop in a postscript anticipate the false rumours which would be spread against her honour, and tell the truth — her version of the truth — to the Queen-mother and the Spanish ambassador.

To Elizabeth she wrote with her own hand, fierce, dauntless, and haughty, as in her highest prosperity.² "Ill at ease with her escape from Holyrood, and suffering from the sickness of pregnancy, she demanded

¹ The account of the escape is taken from a letter of Antony Standen, preserved among the *Cecil MSS.* at Hatfield; the remaining details of the murder and the circumstances connected with it, are collected from Ruthven's *Narrative*, printed in Keith; the letters of Bedford and Randolph, printed by Wright; the two Italian accounts in the seventh volume of Labanoff; Calderwood's *History*; Mary Stuart's letter to the Archbishop of Glasgow, and a letter of Paul de Foix, printed by Teulet.

² This letter may be seen in the Rolls House; the strokes thick and slightly uneven from excitement, but strong, firm, and without sign of tremulousness.

to know whether the Queen of England intended to support the traitors who had slain her most faithful servant in her presence. If she listened to their calumnies and upheld them in their accursed deeds, she was not so unprovided of friends as her sister might dream; there were princes enough to take up her quarrel in such a cause."

The loyalty of Scotland answered well its sovereign's summons. The faithful Bothwell, ever foremost in good or evil in Mary Stuart's service, brought in the night-riders of Liddesdale, the fiercest of the Border marauders; Huntly came, forgetting his father and brother's death, and his own long imprisonment; the Archbishop of St. Andrew's — an evil omen to Darnley — was followed by a thousand Hamiltons; Erskine, from the Castle, sent word of his fidelity; and the Earl Marshal, Athol, Caithness, and a hundred more, hurried to Dunbar with every trooper that they could raise. In four days the Queen found herself at the head of a small army of eight thousand men.

On the other hand, the conspirators' plans were disconcerted hopelessly by the flight of the King. Perplexed, divided, uncertain what to do when the slightest hesitation was ruin — they lost confidence in one another and in their cause. Had they held together, they could still have collected force enough to fight. The Western Highlands were at the devotion of Argyle, and he at any time could command his own terms; but Elizabeth's behaviour in the preceding autumn had forever shaken Argyle's policy. The Queen, "not venturing," as she said herself, "to have so many at once on her hands," sent to say she would pardon the rebellion of the summer, and would receive into favour all who had not been present at or been

concerned in the murder of Ritzio. "They seeing now their liberty and restitution offered them were content to leave those who were the occasion of their return, and took several appointments as they could."¹ Glencairn joined Mary at Dunbar; Rothés followed; and then Argyle, the central pillar of the Protestant party. Three only of those who had been in England refused to desert their friends—the stainless, noble Murray, Kirkaldy of Grange, and the Laird of Patarrow. "These, standing so much upon their honour and promise, would not leave the other without likelihood to do them good."²

Thus, within a week from her flight, Mary Stuart was able to return in triumph to Edinburgh. Mary Stuart returns to Edinburgh. She had succeeded so entirely that she was already able to throw off the mask towards Darnley. Sir James Melville met her on the road: she "lamented to him the King's folly and ingratitude;" and it was to no purpose that the old far-sighted diplomatist warned her against indulging this new resentment; the grudge never left her heart,³ and she had made the object of it already feel the value of the promises with which she had wrought upon his weakness. "The King spoke to me of the lords," said Melville, "and it appeared that he was troubled that he had deserted them, finding the Queen's favour but cold."⁴

The conspirators, or "the Lords of the new attemptate," as they were called, made no effort to resist. Erskine threatened to fire on them from the Castle, and before the Queen reached Holyrood, Ruthven, Morton, Maitland, Lindsay, Faldonside, Flight of the conspirators. even Knox, were gone their several ways, most of

¹ Randolph to Cecil, March 21.

² Melville's *Memoirs*.

² *Ibid.*

⁴ *Ibid.*

them making for the Border to take shelter with Bedford at Berwick. Murray, too, left Edinburgh with them, and intended to share their fortunes; but Ruthven and Morton, generous as himself, wrote to beg him, "as the rest had fallen off, not to endanger himself on their account, but to make his peace if he was able;"¹ and Murray, feeling that he would do more good for them and for his country by remaining at home than by going with them into a second exile, returned to his sister, and was received with seeming cordiality.

Bothwell, whose estates had been forfeited for his share in the Arran conspiracy, was rewarded for his services by "all that had belonged to Lidington." The unfortunate King, "contemned and disesteemed of all," was compelled to drain the cup of dishonour. He declared before the Council "that he had never counselled, commanded, consented to, assisted, or approved" the murder of Ritzio. His words were taken down in writing, and published at the market-cross of every town in Scotland. The conspirators retorted with sending the Queen the bond which they had exacted from him, in which he claimed the deed as exclusively his own; while the fugitives at Berwick addressed a clear, brief statement of the truth to the Governmer^t in England:

MORTON AND RUTHVEN TO CECIL.²

Berwick, March 27.

"The very truth is this:—the King having conceived a deadly hatred against David Ritzio, an Italian, and some others, his accomplices, did a long time

¹ Randolph to Cecil, March 21: *Scotch MSS. Rolls House.*

² *MS. Ibid.*

ago move unto his ally the Lord Ruthven that he might in no way endure the misbehaviour and offence of the foresaid David, and that he might be fortified by him and some others of the nobility to see the said David executed according to his demerits ; and after due deliberation, the said Lord Ruthven communicated this the King's mind to the Earl of Morton, with whom, having deeply considered the justice of the King's desires in respect of the manifold misbehaviours and misdeeds of the said David Ritzio, tending so manifestly to the great danger of the King's and Queen's Majesties and the whole estate of that realm and commonweal — he not ceasing to abuse daily his great estate and credit to the subversion of religion and the justice of the realm, as is notoriously known to all Scotland, and more particularly to us — we, upon the considerations aforesaid, found good to follow the King's determination anent the foresaid execution ; and for divers considerations we were moved to haste the same, considering the approaching Parliament, wherein determination was taken to have ruined the whole nobility that then was banished ; whereupon we perceived to follow a subversion of religion within the realm, and consequently of the intelligence betwixt the two realms grounded upon the religion ; and to the execution of the said enterprise the most honest and the most worthy were easily induced to approve and fortify the King's deliberation.

“ How be it, in action and manner of execution, more was followed of the King's advice, kindled by an extreme choler, than we minded to have done.

“ This is the truth, whatever the King say now, and we are ready to stand by it and prove it.”

CHAPTER X.

THE murder of Ritzio had deranged Mary Stuart's projects in Scotland, and had obliged her to postpone her intended restoration of Catholicism; but her hold on parties in England was rather increased than injured by the interruption of a policy which would have alarmed the moderate Protestants. The extreme Puritans still desired to see the succession decided in favour of the children of Lady Catherine Grey; but their influence in the state had been steadily diminishing as the Marian horrors receded further into the distance. The majority of the peers, the country gentlemen, the lawyers and the judges, were in favour of the pretensions which were recommended at once by justice and by the solid interests of the realm. The union of the crowns of Scotland and England was the most serious desire of the wisest of Elizabeth's statesmen, and the marriage of Mary Stuart with Darnley had removed the prejudice which had attached before to her alien birth.

The difficulty which had hitherto prevented her recognition had been the persistency with which she identified herself with the party of revolution and Ultramontane fanaticism. The English people had no desire for a Puritan sovereign, but as little did they wish to see again the evil days of Bonner and Gardiner. They were jealous of their national independence; they had done once for all with the Pope,

Increasing
popularity of
Mary Stuart
in England.

and they would have no priesthoods, Catholic or Calvinist, to pry into their opinions or meddle with their personal liberty. For a creed they would be best contented with a something which would leave them in communion with Christendom, and preserve to them the form of superstition without the power of it.

Had Elizabeth allowed herself to be swayed by the ultra-Protestants, Mary Stuart would have appealed to arms and would have found the weightiest portion of the nation on her side. Had the Queen of Scots' pretensions been admitted, so long as her attitude to the Reformation was that of notorious and thorough-going hostility, she would have supplied a focus for disaffection. A prudent and reasonable settlement would have been then made impossible; and England sooner or later would have become the scene of a savage civil war like that which had lacerated France.

Elizabeth, with the best of her advisers, expected that as she grew older Mary Stuart would consent to guarantee the liberties which England essentially valued, and that bound by conditions which need not have infringed her own liberty of creed, she could be accepted as the future Queen of the united island. It was with this view that the reversion of the crown had been held before Mary Stuart's eyes coupled with the terms on which it might be hers, while the Puritans had been forbidden to do anything which might have driven her to the ultimatum of force.

The intrigues with Spain, the Darnley marriage, and the attitude which the Queen of Scots had assumed in connexion with it, had almost precipitated a crisis. Elizabeth had been driven in despair to throw herself on the fanaticism of the Congregation, to endorse the demands of Knox that the Queen of Scots should ab-

jure her own religion, and afterwards to retreat from her position with ignominious and dishonourable evasions. Yet the perplexity of a sovereign whose chief duty at such a time was to prevent a civil war, deserves or demands a lenient consideration. Had Elizabeth declared war in the interest of Murray and the Protestants, she would have saved her honour, but she would have provoked a bloody insurrection; while it would have become more difficult than ever to recognize the Queen of Scots, more hopeless than ever to persuade her into moderation and good sense. If

General
character of
Elizabeth's
policy.

Elizabeth's conduct in its details had been alike unprincipled and unwise, the broader bearings of her policy were intelligible and commendable; her caprice and vacillation arose from her consciousness of the difficulties by which she was on every side surrounded. The Queen of Scots herself had so far shown in favourable contrast with her sister of England: she had deceived her enemies, but she had never betrayed a friend. The greater simplicity of conduct, however, was not wholly a virtue: it had been produced by the absence of all high and generous consideration. Ambition for herself and zeal for a creed which suited her habits, were motives of action which involved and required no inconsistencies. From the day on which she set foot in Scotland she had kept her eye on Elizabeth's throne, and she had determined to restore Catholicism; but her public schemes were but mirrors in which she could see the reflection of her own greatness, and her creed was but the form of conviction which least interfered with her self-indulgence: the passions which were blended with her policy made her incapable of the restraint which was necessary for her success; while her French train-

ing had taught her lessons of the pleasantness of pleasure, for which she was at any time capable of forgetting every other consideration. Elizabeth forgot the woman in the Queen, and after her first mortification about Leicester preserved little of her sex but its caprices. Mary Stuart, when under the spell of an absorbing inclination, could fling her crown into the dust and be woman all.

Could she have submitted to the advice so consistently pressed upon her by Philip, Alva, Melville, Throgmorton, by every wise friend that she possessed, the impatience of the English for a settlement of the succession would have rendered her victory certain. She had only to avoid giving occasion for just complaint or suspicion, and the choice of the country notwithstanding her creed — or secretly perhaps in consequence of it — would have inevitably at no distant time have been determined in her favour. Elizabeth she knew to be more for her than against her. The Conservative weight of the country party would have far outbalanced the Puritanism of the large towns.

But a recognition of her right to an eventual inheritance was not at all the object of Mary Stuart's ambition; nor in succeeding to the English throne did she intend to submit to trammels like those under which she had chafed in Scotland. She had spoken of herself not as the prospective but as the actual Queen of England; ¹ she had told the Lords who had followed her to

¹ "That Queen the other day was in a merchant's house in Edinburgh where was a picture of the Queen's Majesty; when some had said their opinions how like or unlike it was to the Queen's Majesty of England, 'No,' said she, 'it is not like, for I am Queen of England.' These high words, together with the rest of her doings and meanings towards this realm, I refer to others to consider." — Bedford to Leicester, February 14, 1566: *Pepysian MSS. Cambridge.*

Prospects of
the Queen of
Scots.

Dumfries that she would lead them to the gates of London; she would not wait; she would make no compromise; she would wrench the sceptre out of Elizabeth's hands with a Catholic army at her back as the first step of a Catholic revolution. Even here — so far had fortune favoured her — she might have succeeded could she but have kept Scotland united; could she but have availed herself skilfully of the exasperation of the Lords of the Congregation when they found themselves betrayed and deserted; could she have remained on good terms with her husband and his father, and kept the friends of the House of Lennox in both countries true to her cause. That opportunity she had allowed to escape. It remained to be seen whether she had learnt prudence from the catastrophe from which she had so narrowly escaped; whether she would now abandon her more dangerous courses, and fall back on moderation; or whether, if she persisted in trying the more venturous game, she could bring herself to forego the indulgence of those personal inclinations and antipathies which had caused the tragedy at Holyrood. If she could forget her injuries; if she could renounce with Ritzio's life her desire to revenge his murder; if she avoided giving open scandal to the Catholic friends of Darnley and his mother, her prospects of an heir would more than reëstablish her in the vantage-ground from which she had been momentarily shaken.

Elizabeth, either through fear or policy, seemed as anxious as ever to disconnect herself from the Congregation. The English Government had been informed a month beforehand of the formation of the plot; they had allowed it to be carried into execution without remonstrance; but when the thing was done and Mur-

ray was restored, the Queen made haste to clear herself of the suspicion of having favoured it. Sir Robert Melville was residing in London, and was occupied notoriously in gaining friends for the Scotch succession. Elizabeth sent for him, and when it was too late to save Ritzio she revealed to him the secret information which had been supplied by Randolph; nay, in one of the many moods into which she drifted in her perplexities, she even spoke of Argyle and Murray as "rebels pretending reformation of religion." There were too many persons in England and Scotland who were interested in dividing the Protestant noblemen from the English court. The Queen's words were carried round, to rend still further what remained of the old alliance; and Randolph, discredited on all sides, could but protest to Cecil against the enormous mischief which Elizabeth's want of caution was producing.¹

It appeared as if the Queen had veered round once more and was again throwing herself wholly into Mary Stuart's interests. She replied to the letter which the Queen of Scots addressed to her from Dunbar by sending Melville to Scotland with assurances of sympathy and help; she wrote to

April.
Elizabeth
takes Mary
Stuart's side.

Darnley advising him "to please the Queen of Scots in all things," and telling him that she would take it as an injury to herself if he offended her again; she advised Murray "to be faithful to the Queen his sovereign" under pain of her own displeasure.² As to the second set of fugitives who had taken shelter in England — Morton, Ruthven, and the rest — she told Bedford that she would neither acquit nor condemn

¹ Randolph to Cecil, June 17. The letter is addressed significantly "To Mr. Secretary's self, and only for himself." — *Burleigh Papers*, Vol. I.

² Sir R. Melville to Elizabeth, April 1: *Scotch MSS. Rolls House*.

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ALLAHABAD.

himself to fly into the Highlands. One of the three gentlemen was executed; but the Queen while she used his information repaid his baseness with deserved scorn. The bond which he had signed was under her eyes; and the stories which he had told against her were brought forward by the Lords in their own justification. While distrust and fear and suspicion divided home from home and friend from friend, the contempt and hate of all alike was centred on the unhappy caitiff who had betrayed both parties in turn; and Darnley, who was so lately dreaming of himself as sovereign of England and Scotland, was left to wander alone about the country as if the curse of Cain was clinging to him.¹

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join Shan O'Neil.¹ Vainly Elizabeth struggled to extricate herself from her dilemma; resentment was still pursuing her for her treachery in the past autumn. She dared not shelter the conspirators, for the Queen of Scots would no longer believe her fair speeches, and De Silva was watching her with keen and jealous eyes; "² she dared not surrender or expel them lest the last Englishman in Ireland should be flung into the sea. She could but shuffle and equivocate in a manner which had become too characteristic. Ruthven was beyond the reach of human vengeance: he had risen from his sick bed to enact his part in Holyrood; he had sunk back upon it to die. To Morton she sent an order, a copy of which could be shown to the Queen of Scots, to leave the country; but she sent with it a private hint that England was wide, and that those who cared to conceal themselves could not always be found.³ Argyle she tried to soothe and work upon, and she directed Randolph to "deal with him." She understood, she said, "that there was a diminution of his good will towards her service, and specially in the matter of Ireland," and that "he alleged a lack of her favour in time of his need." "She had been right sorry for the trouble both of him and his friends; she had done all that in honour she could do, omitting nothing for the Earl of Murray's preservation but open hostility; she trusted therefore that he would alter his mind and withdraw

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³ Morton to Cecil, May 16; Leicester to Cecil, July 11: *Scotch MSS. Rolls House.*

them till she was more fully informed of their conduct, and that for the present they might remain under his protection ;¹ but she insisted that they must move to a distance from the frontier, and Melville was allowed to promise Mary Stuart "that they should meet with nothing but rigour."

De Silva informed Philip that the terror of the scene through which she had passed had destroyed the hope which the Queen of Scots had entertained of combining her subjects against the Queen of England. "She had found them a people fierce, strange, and changeable ; she could trust none of them ;² and she had therefore responded graciously to the tone which Elizabeth assumed towards her." In an autograph letter of passionate gratitude Mary Stuart placed herself as it were under her sister's protection ; she told her that in tracing the history of the late conspiracy she had found that the Lords had intended to imprison her for life, and if England or France came to her assistance they had meant to kill her ; she implored Elizabeth to shut her ears to the calumnies which they would spread against her, and with engaging frankness she begged that the past might be forgotten ; she had experienced too deeply the ingratitude of those by whom she was surrounded to allow herself to be tempted any more into dangerous enterprises ; for her own part she was resolved never to give offence to her good sister again ; nothing should be wanting to restore the happy relations which had once existed between them ; and should she recover safely from her confinement, she hoped that in the summer Elizabeth would make a progress to the north, and that at last she might have an

¹ Elizabeth to Bedford, April 2: *Scotch MSS. Rolls House.*

² De Silva to Philip: *MS. Simancas.*

opportunity of thanking her in person for her kindness and forbearance.¹

This letter was sent by the hands of a certain Thornton, a confidential agent of Mary Stuart, who had been employed on messages to Rome. "A very evil and naughty person, whom I pray you not to believe," was Bedford's credential for him in a letter of the 1st of April to Cecil. He was on his way to Rome again on this present occasion. The public in Scotland supposed that he was sent to consult the Pope on the possibility of divorcing Darnley; and it is remarkable that the Queen of Scots at the close of her own letter desired Elizabeth to give credit to him on some secret matter which he would communicate to her. She perhaps hoped that Elizabeth would now assist her in the dissolution of a marriage which she had been so anxious to prevent.

It was not till her return to Edinburgh that the whole circumstances became known to her which preceded the murder; and whether she had lost in Ritzio a favoured lover, or whether the charge against her had been invented by Darnley to heat the blood of his kindred, in either case his offence against the Queen was irreparable and deadly, and every fresh act of baseness into which he plunged increased the loathing with which she regarded him. The poor creature laboured to earn his pardon by denouncing accomplice after accomplice. Maitland's complicity was unsuspected till it was revealed by Darnley. He gave up the names of three other gentlemen "whom only he and no man else knew to be privy."² Maitland's lands were seized, and he had

Darnley betrays the names of the conspirators.

¹ The Queen of Scots to Elizabeth, April 4: *Scotch MSS.* Printed by Labanoff, Vol. VII. p. 300.

² Randolph to Cecil, April 2: *Scotch MSS. Rolls House.*

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him from the favouring of that principal rebel, being sworn cruel adversary to the state of all true religion." If possible, Randolph was to move Argyle by reasoning and remonstrance; if he failed, "sooner than O'Neil should receive any aid from thence, she would be content to have some portion of money bestowed secretly by way of reward to the hindrance of it." And yet, she said — her thrifty nature coming up again — the money was not to be promised if the Earl could be prevailed on otherwise; "of the matter of money she rather made mention as of a thing for Randolph to think upon until he heard farther from her, than that he should deal with any person therein."¹

But Elizabeth was not to escape so easily, and Argyle's resentment had reached a heat which a more open hand than Elizabeth's would have failed to cool. Murray was ready to forget his own wrongs, but Argyle would not forget them for him, and would not forget his other friends. "If the Queen of England,"

June. the proud M'Callum-More replied, "would interfere in behalf of the banished Lords, and would undertake that in Scotland there should be no change of religion," he on his part "would become O'Neil's enemy and hinder what he could the practices between the Queen his sovereign and the Papists of England."² But Elizabeth must accept his terms; it was a matter with which money in whatever quantity had nothing to do. The practices with the English Catholics had begun again, or rather, in spite of Mary Stuart's promises to abstain from such transactions for the future, they had never ceased; and a

¹ Elizabeth to Randolph, May 23: *Scotch MSS. Rolls House*, and *Lansdowne MSS.* 9

² Randolph to Cecil, June 13: *Scotch MSS. Rolls House.*

curious discovery was about to be made in connexion with them. A report had been sent by Murray to Cecil that there was an Englishman about the court at Holyrood who was supposed to have come there on no good errand; he was one of the Rokebies of Yorkshire, and was closely connected with the great Catholic families there. But Cecil it seems knew more of Rokeby's doings than Murray knew. He had gone across the Border to be out of the way of the bailiffs; and Cecil, who suspected that Mary Stuart was still playing her old game, and had before been well acquainted with Rokeby, sent him word "that he might purchase pardon and help if he would use his acquaintance in Scotland to the contentation of the Queen's Majesty," in other words if he would do service as a spy. Rokeby, who wanted money and had probably no honour to lose, made little objection. His brother-in-law, Lascelles, who was one of Mary Stuart's staunchest friends and correspondents, gave him letters of introduction, and with these he hastened to Edinburgh and was introduced by Sir James Melville to the Queen.

- In a letter to Cecil he thus describes his reception:—

"In the evening, after ten o'clock, I was sent for in secret manner, and being carried into a little closet in Edinburgh Castle the Queen came to me; and so doing the duty belonging to a prince I did offer my service, and with great courtesy she did receive me, and said I should be very welcome to her, and so began to ask me many questions of news from the court of England, and of the Queen, and of the Lord Robert. I could say but little; so being very late she said she would next day confer with me

A spy at
Mary
Stuart's
court.

in other causes, and willed me take my ease for the night.

“The next night after I was sent for again, and was brought to the same place, where the Queen came to me, she sitting down on a little coffer without a cushion and I kneeling beside. She began to talk of her father, Lascelles, and how much she was beholden to him, and how she trusted to find many friends in England whensoever time did serve; and did name Mr. Stanley, Herbert, and Dacres, from whom she had received letters, and by means she did make account to win friendship of many of the nobility—as the Duke of Norfolk, the Earls of Derby, Shrewsbury, Northumberland, Westmoreland, and Cumberland. She had better hopes of them for that she thought them all to be of the old religion, which she meant to restore again with all expedition, and thereby win the hearts of the common people. Besides this she practised to have two of the worshipful of every shire of England, and such as were of her religion to be made her friends, and sought of me to know the names of such as were meet for that purpose. I answered and said I had little acquaintance in any shire of England but only Yorkshire, and there were great plenty of Papists. She told me she had written a number of letters to Christopher Lascelles with blank superscriptions; and he to direct them to such as he thought meet for that purpose. She told me she had received friendly letters from diverse, naming Sir Thomas Stanley and one Herbert, and Dacres with the crooked back—thus meaning that after she had friended herself in every shire in England with some of the worshipful or of the best countenance of the country, she meant to cause wars

Mary
Stuart's
friends in
England.

to be stirred in Ireland, whereby England might be kept occupied; then she would have an army in readiness, and herself with her army to enter England — and the day that she should enter, her title to be read and she proclaimed Queen. And for the better furniture of this purpose she had before travailed with Spain, with France, and with the Pope for aid; and had received fair promises with some money from the Pope and more looked for.”¹

Such a revelation as this might have satisfied Elizabeth that it was but waste of labour to attempt any more to return to cordiality and confidence with the Queen of Scots; yet either from timidity, or because she would not part with the hope that Mary Stuart might eventually shake off her dreams, and qualify herself for the succession by prudence and good sense, she would not submit to the conditions on which Argyle offered to remain her friend. She could not conceal that she was aware of Mary Stuart's intrigues with her subjects; but she chose to content herself with reading her a lecture as excellent as it was useless on the evil of her ways. Messengers were passing and repassing continually between the court at Holyrood and Shan O'Neil. Other and more sincere English Catholics than Rokeby were coming day after day to Holyrood to offer their swords and to be admitted to confidence. Elizabeth in the middle of June sent Sir Henry Killigrew to remonstrate, and “to demand such present answer as should seem satisfactory,”²

¹ Christopher Rokeby to Cecil, June 1566: *Hatfield MSS.* Printed in the *Burleigh Papers*, Vol. I.

² Instructions to Sir H. Killigrew, sent to the Queen of Scots, June 15. Cecil's hand: *Scotch MSS. Rolls House.*

while to his public instructions she added a private letter of her own.

“Madam,” she wrote to the Queen of Scots, “I am informed that open rebels against my authority are receiving countenance and favour from yourself and your councillors. The news, madam, I must tell you with your pardon do much displease us. Remove these briars, I pray you, lest some thorn prick the hand of those who are to blame in this. Such matters hurt to the quick. It is not by such ways as these that you will attain the object of your wishes. These be the byepaths which those follow who fear the open road. I say not this for any dread I feel of harm that you may do me. My trust is in Him who governs all things by His justice, and with this faith I know no alarm. The stone recoils often on the head of the thrower, and you will hurt yourself — you have already hurt yourself — more than you can hurt me. Your actions towards me are as full of venom as your words of honey. I have but to tell my subjects what you are, and I well know the opinion which they will form of you. Judge you of your own prudence — you can better understand these things than I can write them. Assure me under your own hand of your good meaning, that I may satisfy those who are more inclined than I am to doubt you. If you are amusing yourself at my expense, do not think so poorly of me that I will suffer such wrong without avenging it. Remember, my dear sister, that if you desire my affection you must learn to deserve it.”¹

Essentially Elizabeth was acting with the truest re-

¹ Elizabeth to the Queen of Scots, June 13: *Scotch MSS. Rolls House.*

gard for the Queen of Scots' interests, and was in fact behaving with extraordinary forbearance. It was unfortunate that petty accidents should have so perpetually given her rival a temporary advantage and an excuse for believing herself the injured party. Among the Catholics of whose presence at her court Sir H. Killigrew was instructed to complain, the spy of Cecil had been especially named. Already the Queen of Scots had been warned to beware how she trusted Rokeby; and at once, with an affected anxiety to meet Elizabeth's wishes, she ordered his arrest and the seizure of his papers. Cecil's letters to him were discovered in his correspondence, and the evidence of the underplot was too plain to permit Elizabeth to return upon so doubtful a ground.¹

These, however, and all subsidiary questions were soon merged in the great event of the summer. On the 19th of June, in Edinburgh Castle, between nine and ten in the morning was born James Stuart, ^{Birth of James Stuart.} heir presumptive to the united crowns of England and Scotland. Better worth to Mary Stuart's ambition was this child than all the legions of Spain and all the money of the Vatican; the cradle in which he lay, to the fevered and anxious glance of English politicians, was as a Pharos behind which lay the calm waters of an undisturbed succession and the perpetual union of the too long divided realms. Here, if the occasion was rightly used, lay the cure for a thousand evils; where all differences might be forgotten, all feuds be laid at rest, and the political fortunes of Great Britain be started afresh on a newer and brighter career.

Scarcely even in her better mind could the birth of

¹ Killigrew to Cecil, July 4: *Scotch MSS. Rolls House.*

the Prince of Scotland be less than a mortification to Elizabeth — knowing, as she could not fail to know, the effect which it would produce upon her subjects. Parliament was to have met in the spring, and she had attempted to force herself into a resolution upon her own marriage, which would enable her to encounter the House of Commons. In the middle of February she believed that she had made up her mind to the Archduke. Sir Richard Sackville had been selected as a commissioner to arrange preliminaries at Vienna; and she had gone so far as to arrange in detail the conditions on which her intended husband was to reside in England.

“I do understand this to be the state of his [Sackville’s] despatch,” wrote Sir N. Throgmorton to Leicester.¹ “Her Majesty will tolerate the public contract for the exercise of the Archduke’s Roman religion, so as he will promise secretly to her Majesty to alter the said religion hereafter. She doth further say that if the archduke will come to England, she promiseth to marry him unless there be some apparent impediment. She maketh the greatest difficulty to accord unto him some large provision to entertain him at her and the realm’s cost as he demandeth.”

So far had her purpose advanced — even to a haggling over the terms of maintenance; yet at the last moment, the thought of losing Leicester forever became unbearable. He was absent from the court, and Elizabeth determined to see him once more before the fatal step was taken.

“After this was written,” Throgmorton concluded,

¹ February, 1566, endorsed in Leicester’s hand — “A very considerable letter.” — *Pepysian MSS. Magdalen College, Cambridge.*

The Arch-
duke or
Leicester
once more.

"I did understand her Majesty had deferred the signing of Sackville's despatch until your Lordship's coming."

Cecil at the same time wrote to inform Leicester of the Queen's resolution; and either the Earl believed that it was his policy to appear to consent, or else if he may be credited with any interval of patriotism, he was ready for the moment to forget his own ambition in the interest of England.¹

As, however, it had been Mary Stuart's first success after her marriage with Darnley which had driven Elizabeth towards a sacrifice which she abhorred; so Ritzio's murder, the return of Murray and his friends, and the recovered vitality of the Protestants in Scotland gave her again a respite. As Mary Stuart's power to hurt her grew fainter, the Archduke once more ceased to appear indispensable; and when Leicester came back to the court Sackville's mission was again put off. Again the Queen began to nourish convulsive hopes that she could marry her favourite

¹ "I heartily thank you, Mr. Secretary, for your gentle and friendly letter, wherein I perceive how far her Majesty hath resolved touching the matter she dealt in on my coming away. I pray God her Highness may so proceed therein as may bring but contentation to herself and comfort to all that be hers. Surely there can be nothing that shall so well settle her in good estate as that way—I mean her marriage—whensoever it shall please God to put her in mind to like and to conclude. I know her Majesty hath heard enough thereof, and I wish to God she did hear that more that here abroad is wished and prayed for. Good will it doth move in many, and truly it may easily appear necessity doth require of all. We hear ourselves much also when we be there, but methinks it is good sometimes that some that be there should be abroad, for that is sooner believed that is seen than heard; and in hope, Mr. Secretary, that her Majesty will now earnestly intend that which she hath of long time not yet minded, and delay no longer her time, which cannot be won again for any gift, I will leave that with trust of happiest success, for that God hath left it the only means to redeem us in this world."—Leicester to Cecil, February 20, 1566.
Domestic MSS. Eliz., Vol. XXXIX., Rolls House.

after all. Again Cecil had to interfere with a table of damning contrasts between the respective merits of the Austrian Prince and the English Earl;¹ and

¹ DE MATRIMONIO REGINÆ ANGLIÆ CUM EXTERO PRINCIPE.

April, 1566.

Reasons to move the Queen to accept
Charles.

"Besides his person { his birth,
his alliance.

1. "She shall not diminish the honour of a prince to match with a prince.

2. "When she shall receive messages from kings, her husband shall have of himself by birth and countenances to receive them.

3. "Whatsoever he shall bring to the realm he shall spend it here in the realm.

4. "He shall have no regard to any person but to please the Queen.

5. "He shall have no opportunity nor occasion to tempt him to seek the crown after the Queen, because he is a stranger, and hath no friends in the realm to assist him.

6. "By marriage with him the Queen shall have the friendship of King Philip, which is necessary, considering the likelihood of falling out with France.

7. "No Prince of England ever remained without good amity of the House of Burgundy, and no prince ever had less alliance than the Queen of England hath, nor any prince ever had more cause to have friendship and power to assist her estate.

Reasons against the Earl of
Leicester.

1. "Nothing is increased by marriage of him, either in riches, estimation, or power.

2. "It will be thought that the slanderous speeches of the Queen with the Earl have been true.

3. "He shall study nothing but to enhance his own particular friends to wealth, to office, to lands, and to offend others —

Sir H. Sidney.	Leighton.
Earl Warwick.	Christmas.
Sir James Crofts.	Middleton.
Henry Dudley.	Middlemore.
John Dudley.	Colshill.
Foster.	Wiseman.
Sir F. Jobson.	Killigrew.
Appleyard.	Molyneux.
Horsely.	

4. "He is infamed by the death of his wife.

5. "He is far in debt.

6. "He is like to prove unkind, or jealous of the Queen's Majesty.

again, when remonstrance seemed to fail, the pale shadow of Amy Robsart was called up out of the tomb, and waved the lovers once more asunder.¹

Thus the season passed on; summer came, and James's birth found Elizabeth as far from marriage as ever; Parliament had been once more postponed, but the public service could be conducted no longer without a subsidy, and a meeting at Michaelmas was inevitable.

Scarcely was Mary Stuart delivered and the child's sex made known, than Sir James Melville was in the saddle. The night of the 19th he slept at Berwick; on the evening of the 22d he rode into London. A grand party was going forward at Greenwich: the Queen was in full force and spirit, and the court in its summer splendour. A messenger glided through the crowd and spoke to Cecil; Cecil whispered to his mistress, and Elizabeth flung herself into a seat, dropped her head upon her hand, and exclaimed, "The Queen of Scots is the mother of a fair son, and I am but a barren stock." Bitter words!—how bitter those only knew who had watched her in the seven years' struggle between passion and duty.

Sir James
Melville
announces
the birth of
James.

She could have borne it better perhaps had her own scheme been carried out for a more complete self-sac-

8. "The French King will keep Calais against his pact.

9. "The Queen of Scots pretendeth title to the crown of England, and so did never foreign prince since the Conquest.

10. "The Pope also, and all his parties, are watching adversaries to this crown."—*Burleigh Papers*, Vol. I. p. 444.

¹ It was probably at this time Appleyard made his confession that "he had covered his sister's murder," and that Sir Thomas Blount was secretly examined by the Council. There is little room for doubt that the menace of exposure was the instrument made use of to prevent Elizabeth from ruining herself.—*See* cap. 4.

rifice, and had Leicester been the father of the future king. Then at least she would have seen her darling honoured and great; then she would have felt secure of her rival's loyalty and of the triumph of those great principles of English freedom for which she had fought her long, and as it now seemed, her losing battle. The Queen of Scots had challenged her crown, intrigued with her subjects, slighted her councils, and defied her menaces, and this was the result.

But Elizabeth had been apprenticed in self-control. By morning she had overcome her agitation and was able to give Melville an audience.

The ambassador entered her presence radiant with triumph. The Queen affected, perhaps she forced herself to feel, an interest in his news, and she allowed him to jest upon the difficulty with which the prince had been brought into the world. "I told her," he reported afterwards,¹ "that the Queen of Scots had dearly bought her child, being so sore handled that she wished she had never been married. This I said by the way to give her a scare from marriage and from Charles of Austria." Elizabeth smiled painfully and spoke as graciously as she could, though Melville believed that at heart she was burning with envy and disappointment. The trial was doubtless frightful, and the struggle to brave it may have been but half successful; yet when he pressed her to delay the recognition no longer, she seemed to feel that she could not refuse, and she promised to take the opinion of the lawyers without further hesitation. So great indeed had been the disappointment of English statesmen at the last trifling with the Archduke, that they had abandoned hope. The Scottish Prince was the sole object of their

¹ Melville's *Memoirs*.

interest, and all the motives which before had recommended Mary Stuart were working with irresistible force. Whatever might be the Queen's personal reluctance, Melville was able to feel that it would avail little; the cause of his mistress, if her game was now played with tolerable skill, was virtually won. Norfolk declared for her, Pembroke declared for her, no longer caring to conceal their feelings; even Leicester, now that his own chances were over, became "The Queen of Scots' avowed friend," and pressed her claims upon Elizabeth, "alleging that to acknowledge them would be her greatest security, and that Cecil would undo all."¹ All that Melville found necessary was to give his mistress a few slight warnings and cautions.

July.
Increase of
the party of
the Queen of
Scots in
England.

Her recognition as second person he knew that she regarded as but a step to the dethronement of Elizabeth; nor did he advise her to abandon her ambition. He did not wish her to slacken her correspondence with the Catholics; she need not cease "to entertain O'Neil;" but he required her only to be prudent and secret. "Seeing the great mark her Majesty shot at, she should be careful and circumspect, that her desires being so near to be obtained should not be overthrown for lack of management."²

Schooled for once by advice, Mary Stuart wrote from her sick bed to Melville's brother Robert. The letter appeared to be meant only for himself, but it was designed to be shown among the Protestant nobility of England. She declared in it that she meant nothing but toleration in religion, nothing but good in all ways; she protested that she had no concealed designs, no unavowed wishes; her highest ambition went

¹ Melville's *Memoirs*.

² *Ibid*.

no farther than to be recognized by Parliament, with the consent of her dear sister.

With these words in their hands, the Melvilles made swift progress in England. Elizabeth's uncertainties and changes had shaken her truest friends; and even before Parliament some popular demonstrations were looked for.

“There are threats of disturbance,” De Silva wrote in August, “and trouble is looked for before the meeting of Parliament. For the present we are reassured, but it is likely enough that something will happen. The Queen is out of favour with all sides: the Catholics hate her because she is not a Papist, the Protestants, because she is less furious and violent in heresy than they would like to see her; while the courtiers complain of her parsimony.”¹ James Melville was soon able to send the gratifying assurance to the Queen of Scots that should Elizabeth continue the old excuses and delays “her friends were so increased that many whole shires were ready to rebel, and their captains already named by election of the nobility.”²

In such a world and with such humours abroad, the approaching session could not fail to be a stormy one; and Elizabeth knew, though others might affect to be ignorant, that if she was forced into a recognition of Mary Stuart, a Catholic revolution would not be many months distant.

At the beginning of August, to gather strength and spirit for the struggle, she went on progress, not to the northern counties, where the Queen of Scots had hoped to meet her, but first to Stamford, on a visit to Cecil,

¹ De Silva to Philip, August 23, 1566: *MS. Simancas*.

² Melville's *Memoirs*.

thence round to Woodstock, her old prison in the perilous days of her sister, and finally, on the evening of the 31st, she paid Oxford the honour which ^{Elizabeth at Oxford.} two years before she had conferred on the sister University. The preparations for her visit were less gorgeous, the reception itself far less imposing ; yet the fairest of her cities, in its autumnal robe of sad and mellow loveliness, suited the Queen's humour, and her stay there had a peculiar interest.

She travelled in a carriage. At Wolvercot, three miles out on the Woodstock road, she was met by the heads of houses in their gowns and hoods. The approach was by the long north avenue leading to the north gate ; and as she drove along it she saw in front of her the black tower of Bocardo, where Cranmer had been long a prisoner, and the ditch where, with his brother martyrs, he had given his life for the sins of the people. The scene was changed from that chill, sleety morning, and the soft glow of the August sunset was no unfitting symbol of the change of times ; yet how soon such another season might tread upon the heels of the departing summer none knew better than Elizabeth. She went on under the archway and up the corn-market, between rows of shouting students. The students cried in Latin, " Vivat Regina." Elizabeth, amidst bows and smiles, answered in Latin also, " Gratias ago, gratias ago."

At Carfax, where Bishop Longlands forty years before had burnt Tyndal's Testaments, a professor greeted her with a Greek speech, to which, with unlooked for readiness, she replied again in the same language. A few more steps brought her down to the great gate of Christ Church, the splendid monument of Wolsey and of the glory of the age that was gone.

She left the carriage, and with De Silva at her side, she walked under a canopy across the magnificent quadrangle to the Cathedral. The dean, after evening service, entertained her at his house.

The days of her stay were spent as at Cambridge — in hearing plays, or in attending the exercises of the University. The subjects chosen for disputation in the schools mark the balance of the two streams of ancient and modern thought, and show the matter with which the rising mind of England was beginning to occupy itself. There were discussions on the tides — whether or how far they were caused by the attraction of the moon. There were arguments on the currency — whether a debt contracted when the coin was pure could be liquidated by the payment of debased money of the same nominal value. The keener intellects were climbing the stairs of the temple of Modern Science, though as yet they were few and feeble, and they were looked upon askance with orthodox suspicion. At their side the descendants of the schoolmen were working on the old safe methods, proving paradoxes by laws of logic amidst universal applause. The Professor of Medicine maintained in the Queen's presence that it was not the province of the physician to cure disease, because diseases were infinite, and the infinite was beyond the reach of art; or again, because medicine could not retard age, and age ended in death, and therefore medicine could not preserve life. With trifles such as these the second childhood of the authorities was content to drowse away the hours. More interesting than either science or logic were perilous questions of politics, which Elizabeth permitted to be agitated before her.

September.
Disputations
in the
schools.

The Puritan formula that it was lawful to take arms against a bad sovereign was argued by examples from the Bible and from the stories of the patriot tyrannicides of Greece and Rome. Doctor Humfrey deserted his friends to gain favour with the Queen, and protested his horror of rebellion ; but the defenders of the rights of the people held their ground and remained in possession of it. Pursuing the question into the subtleties of theology, they even ventured to say that God himself might instigate a regicide, when Bishop Jewel who was present, stepped down into the dangerous arena and closed the discussion with a vindication of the divine right of kings.

More critically — even in that quiet haven of peaceful thought — the great subject of the day which Elizabeth called her death-knell, still pursued her. An eloquent student discoursed on the perils to which a nation was exposed when the sovereign died with no successor declared. The comparative advantages were argued of elective and hereditary monarchy. Each side had its hot defenders ; and though the votes of the University were in favour of the natural laws of succession, the champion of election had the best of the argument, and apparently best pleased the Queen. When in the peroration of his speech he said he would maintain his opinion “ with his life, and if need were with his death,”¹ she exclaimed, “ Excellent — oh, excellent ! ”

At the close of the exercises she made a speech in Latin as at Cambridge. She spoke very simply, deprecating the praises which had been heaped upon her. She had been educated well, she said, though the seed had fallen on a barren soil ; but she loved study if she

¹ “ Hoc vitâ et si opus est et morte comprobabo.”

had not profited by it, and for the Universities she would do her best that they should flourish while she lived, and after her death continue long to prosper.

So five bright days passed swiftly, and on the sixth she rode away over Magdalen Bridge to Windsor. As she crested Headington Hill she reined in her horse and once more looked back. There at her feet lay the city in its beauty, the towers and spires springing from amidst the clustering masses of the college elms; there wound beneath their shade the silvery lines of the Cherwell and the Isis.

“Farewell, Oxford!” she cried, “farewell, my good subjects there! — farewell, my dear scholars, and may God prosper your studies! — farewell, farewell!”¹

The Queen of Scots meanwhile had recovered rapidly from her confinement, and it seemed as if she had now but to sit still and wait for the fortune which time had so soon to bestow; yet Melville on his return to Scotland found her less contented than he expected. The Pope, if it was true that she had desired a divorce from her husband, had not smiled upon her wishes; and Melville’s well-meant efforts to console her for her domestic troubles with her prospects in England failed wholly of their effect. Five days after James’s birth

Position of Darnley. Killigrew reported that although Darnley was in the castle and his father in Edinburgh, “small account was made of them;” Murray, though he continued at the court, “found his credit small and his state scarce better than when he looked daily for banishment;” Maitland was still a fugitive, and his estates, with the splendid royalties of Dunbar, were in possession of Bothwell; “Bothwell’s credit with the Queen was more than all the rest together.”²

¹ Nicholls’s *Progresses of Elizabeth*.

² Killigrew to Cecil, June 24.

It seemed as if Mary Stuart, brave as she might be, in that stormy sea of faction and conspiracy required a man's arm to support her: she wanted some one on whose devotion she could depend to shield her from a second night of terror, and such a man she had found in Bothwell — the boldest, the most reckless, the most unprincipled of all the nobles in Scotland. Her choice, though imprudent, was not unnatural. Bothwell from his earliest manhood had been her mother's staunchest friend; Bothwell, when the English army was before Leith — though untroubled with faith in Pope, or Church, or God, had been more loyal than the Catholic Lords; and though at that time but a boy of twenty-two, he had fought the cause of France and of Mary of Lorraine when Huntly and Seton were standing timidly aloof. Afterwards when Mary Stuart returned, and Murray and Maitland ruled Scotland, Bothwell continued true to his old colours, and true to the cause which the Queen of Scots in her heart was cherishing. Hating England, hating the Reformers, hating Murray above all living men, he had early conceived projects of carrying off his mistress by force from their control — nor was she herself supposed to have been ignorant of his design. The times were then unripe, and Bothwell had retired from Scotland to spend his exile at the French court, in the home of Mary Stuart's affection; and when he came back to her out of that polished and evil atmosphere, she found his fierce northern nature varnished with a thin coating of Parisian culture, saturated with Parisian villany, and the Earl himself with the single virtue of devotion to his mistress, as before he had been devoted to her mother. Her own nature was altogether higher than Bothwell's; yet courage, strength, and a

July.
Mary Stuart
and Both-
well.

readiness to face danger and dare crime for their sakes, attract some women more than intellect however keen, or grace however refined. The affection of the Queen of Scots for Bothwell is the best evidence of her innocence with Ritzio.

As soon as she had become strong enough to move she left the close hot atmosphere of the Castle, and at the end of July, attended by her cavalier, she spent her days upon the sea or at the Castle of Alloa on the Forth. She had condescended to acquaint Darnley with her intention of going, but with no desire that he should accompany her; and when he appeared uninvited at Alloa he was ordered back to the place from which he came. "The Queen and her husband," wrote the Earl of Bedford on the 3d of August, "agree after the old manner. It cannot for modesty nor for the honour of a Queen be reported what she said of him."¹ Sir James Melville, who dreaded the effect in England of the alienation of the friends of Lady Lennox, again remonstrated and attempted to cure the slight with some kind of attention. But Melville was made to feel that he was going beyond his office: in her violent moods Mary Stuart would not be trifled with, and at length he received a distinct order "to be no more familiar with the Lord Darnley."² Water parties and hunting parties in the Highlands consumed the next few weeks. Though inexorable towards her husband, the Queen as the summer went on found it necessary to take her brother into favour again, and to gain the confidence of the English Protestants by affecting a readiness to be guided by his advice. Maitland's peace had been

August.
Pardon of
Maitland.

¹ Bedford to Cecil, August 3: *Cotton MSS. Calig. B. 10.*

² Melville's *Memoirs*.

made also though with more difficulty. Bothwell, who was in possession of his estates, refused to part with them; and in a stormy scene in the Queen's presence Murray told him "that twenty as honest men as he should lose their lives ere he reft Lidington."¹ The Queen felt however that her demand for recognition in England would be effective in proportion to the unanimity with which she was supported by her own nobility; she felt the want of Maitland's help; and visiting her resentment for the death of Ritzio on her miserable husband alone, she was ready to forget the share which Maitland had borne in it, and exerted herself to smoothe down and reconcile the factions at the court. She contrived to bring Maitland, Murray, Argyle, and Bothwell secretly together; "the matter in dispute" was talked over, and at last amicably settled.²

From Maitland to Morton was a short step. The Lords now all combined to entreat his pardon from the Queen, and in the restoration to favour of the nobles whom he had invited to revenge his own imagined wrongs, and had thus deserted and betrayed, the miserable King read his own ruin. One after another he had injured them all; and his best hope was in their contempt. Even Murray's face he had good cause to dread. He with Ritzio had before planned Murray's murder, and now seeing Murray at the Queen's side he let fall some wild passionate words as if he would again try to kill him. So at least the Queen reported, for it was she who carried the story to Murray, "and willed the Earl to speer it at the King;" it was believed afterwards that she desired to create a quarrel which would rid her of

September.
Terror and
folly of
Darnley.

¹ Advertisements out of Scotland, August, 1566: *MS. Rolls House.*

² Maitland to Cecil, September 20: *MS. Ibid.*

one or both of the two men whom she hated worst in Scotland. But if this was her object she had mistaken her brother's character; Murray was not a person to trample on the wretched or stoop to ignoble game; he spoke to Darnley "very modestly" in the Queen's presence; and the poor boy might have yet been saved could he have thrown himself on the confidence of the one noble-hearted person within his reach. He muttered only some feeble apology, however, and fled from the court "very grieved." He could not bear, so some one wrote, "that the Queen should use familiarity with man or woman, especially the Lords of Argyle and Murray, which kept most company with her."¹

Lennox, as much neglected as his son, was living privately at Glasgow, and between Glasgow and Stirling the forlorn Darnley wandered to and fro "misliked of all," helpless and complaining, and nursing vague impossible schemes of revenge. He had signed the articles by which he bound himself to maintain the Reformation; he now dreamt of taking from Mary the defence of the Church. He wrote to the Pope and to Philip complaining that the Queen of Scots had ceased to care for religion, and that they must look to him only for the restoration of Catholicism. His letters, instead of falling harmless by going where they were directed, were carried to Mary, and might have aggravated her animosity against him had it admitted of aggravation. Still more terrified, he then thought of flying from the kingdom. The Scotch Council was about to meet in Edinburgh in the middle of September; the Queen desired that he would attend the session with her; he refused, and as soon as she was gone

¹ Advertisements out of Scotland, August, 1586: *MS. Rolls House.*

he made arrangements to escape in an English vessel which was lying in the Forth. "In a sort of desperation" he communicated his project to the French ambassador Du Croq, who had remained after the Queen's departure at Stirling. He told him, it seems, that he should go to the Scilly Isles; perhaps like Sir Thomas Seymour with a notion of becoming a pirate chief there. When Du Croq questioned him on his reasons for such a step he complained "that the Queen would give him no authority;" "all the lords had abandoned him," he said; "he had no hope in Scotland, and he feared for his life."

Darnley
proposes to
fly to Eng-
land.

Better far it would have been had they allowed him to go, better for himself, better for Mary Stuart, better for human history which would have escaped the inky stain which blots its page; yet his departure at such a time and in such a manner would attract inconvenient notice in England — it would be used in Parliament in the debate on the succession. Du Croq carried word to Mary Stuart. Lennox, after endeavouring in vain to dissuade him, wrote to her also, in the hope that he might appease her by giving proofs of his own loyalty; and Darnley, finding his purpose betrayed, followed the French ambassador to Edinburgh, and on the evening of the 29th of September presented himself at the gates of Holyrood. He sent in word of his arrival — but he said he would not enter as long as Murray, Argyle, and Maitland were in the palace. The Queen went out to him, carried him to her private apartments, and kept him there for the night. The next morning the council met and he was brought or led into their presence. There they sat — a hard ring of stony faces: on one side the Lords of the Congregation who had risen in insurrection to prevent

Darnley
before the
Scotch
Council

his marriage with the Queen, whom afterwards he had pledged his honour to support, and whom he had again betrayed — now by some inexplicable turn of fortune restored to honour while he was himself an outcast ; on the other side Huntly, Caithness, Bothwell, Athol, the Archbishop of St. Andrew's, all Catholics, all Ritzio's friends, yet hand in hand now with their most bitter enemies, united heart and soul to secure the English succession for a Scotch Princess, and pressing with the weight of unanimity on the English Parliament ; yet he who had been brought among them in the interest of that very cause was excluded from share or concern in the prize ; every noble present had some cause of mortal enmity against him ; and as he stood before them desolate and friendless, he must have felt how short a shrift was allowed in Scotland for a foe whose life was inconvenient.

The letter of the Earl of Lennox was read aloud. Mary Stuart said that she had tried in vain to draw from her husband the occasion of his dissatisfaction ; she trusted that he would tell the Lords what he had concealed from herself ; and then turning to him with clasped hands like a skilled actress on the stage, "Speak," she said, "speak ; say what you complain of ; if the blame is with me do not spare me."

The Lords followed, assuring him with icy politeness that if he had any fault to find they would see it remedied.

Du Croq implored him to take no step which would touch his own honour or the Queen's.

What could he say ? Could he tell the truth, that he believed his Royal Mistress and those honourable Lords were seeking how to rid the world of him ? That was his fear ; and she and they and he alike

knew it — but such thoughts could not be spoken. And yet he had spirit enough to refuse to cringe or to stand at the bar to be questioned as a prisoner. He said a few unmeaning words and turned to go, and they did not dare detain him. “Adieu, Madam,” he said as he left the room, “you will not see my face for a long space ; gentlemen, adieu.”¹

Four days later they heard that the ship was ready in which he was about to sail ; and it appears as if they had resolved to let him go. But in an evil hour for himself he had another interview with the French ambassador ; Du Croq, after a long conversation, persuaded him that the clouds would clear away and that fortune would again look beneficently upon him. The English ship sailed away, and Darnley remained behind to drift upon destruction, “hated,” as Du Croq admitted, “by all men and by all parties — because being what he was he desired to be as he had been and to rule as a king.”² In him the murderers of Rizzio found a scapegoat, and the Queen accepted with seeming willingness the vicarious sacrifice. The political relations between England and Scotland relapsed into their old bearings. Maitland was found again corresponding with the English ministers on the old subject of the union of the realms, while the Queen of Scots herself wrote to Cecil with affected confidence and cordiality, just touching — enough to show that she understood it — on the treachery of Rokeby, but professing to believe that Cecil wished well to her and would assist her to gain her cause.³

¹ Du Croq to the Archbishop of Glasgow ; October 15 ; The Lords of Scotland to the Queen-mother of France, October 8 : Printed in Keith.

² Du Croq to the Queen-mother of France, October 17 : Teulet, Vol. II.

³ Maitland to Cecil, October 4 ; The Queen of Scots to Cecil, October 5 : *M.S. Rolls House.*

So stood the several parties in the two kingdoms when Elizabeth returned from her progress and prepared to meet her Parliament.¹ Four years had passed since the last troubled session: spring after spring, autumn after autumn, notice of a Parliament had gone out; but ever at the last moment Elizabeth had flinched, knowing well what lay before her. Further delay was at last impossible: the Treasury was empty, the humour of the people was growing dangerous. Thus at last on the 30th of September the Houses reassembled. The first fortnight was spent in silent preparations; on the 14th the campaign opened with a petition from the bishops, which was brought forward in the form of a statute in the House of Commons. It will be remembered that after the Bill was passed in the last session empowering the Anglican prelates to tender the vote of allegiance to their predecessors

October.
Meeting of
the English
Parliament.

The
Bishops'
Bill.

¹ An entry in the *Privy Council Register* shows how anxiously the English Government were still watching the Queen of Scots, and how little they trusted her assurances.

October 8, 1566.

"A letter to Sir John Foster, Warden of the Middle Marches, touching the intelligence received out of Scotland of the sending of the Earl of Argyle towards Shan O'Neil with a hundred soldiers of those that were about the Scottish Queen's own person, with commission also to levy all his own people and the people of the Isles to assist Shan against the Queen's Majesty. And because the understanding of the truth of this matter is of great importance, and necessary to be boulded out with speed, he is required that under pretence of some other message he take occasion to send with convenient speed some discreet person to the Scottish Court, to procure by all the best means he may to bould out the very certainty hereof. And in case he shall find indeed that the said advertisements are true, then to demand audience of the Scottish Queen and to deliver unto her the Queen's Majesty's letter,* sent herewith, requiring answer with speed; and in case he shall find the said enterprise is intended only, and not executed, then he shall procure to stay the same by the best means he may."

* Not found.

in the Tower, they had been checked in their first attempt to put the law in execution by a denial of the sacredness of their consecration, and the judges had confirmed the objection. To obviate this difficulty, and to enable the bench at last to begin their work of retaliation, a Bill was brought in declaring that "inasmuch as the bishops of the Church of England had been nominated according to the provisions of the Act of Henry the Eighth,¹ and had been consecrated according to the form provided in the Prayer-book, they should be held to have been duly and lawfully appointed, any statute, law, or canon to the contrary notwithstanding." In this form, untrammelled by further condition, the Act went from the Commons to the Lords, and had it passed in its first form there would have been an immediate renewal of the attempt to persecute. The Lords, however, were better guardians than the Commons of English liberties. Out of 81 peers, 22 were the bishops themselves, who as the promoters of the Bill unquestionably voted for it in its fulness; yet it was sent back, perhaps as an intimation that there had been enough of spiritual tyranny, and that the Church of England was not to disgrace itself with imitating the iniquities of Rome. A proviso was added that the Act should be retrospective only as it affected the general functions of the episcopal office,² but was not to be construed as giving valid-

¹ 25 Hen. VIII. cap. 20.

² "Provided always that no person or persons shall at any time hereafter be impeached or molested in body, lands, livings, or goods, by occasion or means of any certificate by any Archbishop or Bishop heretofore made, or before the last day of this present Session of Parliament to be made by authority of any Act passed in the first session of this present Parliament, touching or concerning the refusal of the oath declared and set forth by Act of Parliament in the first year of the reign of our Sovereign Lady the Queen: and that all tenders of the said oath made by any Archbishop or

ity to the requisition of the oath of allegiance in the episcopal courts, or as giving the bishops power over the lives or lands of the prisoners who had refused to swear.¹ The Bill, although thus modified, left the bench with powers which for the future they might abuse; and although there was an understanding that those powers were not to be put in force, eleven lay peers still spoke and voted absolutely against admitting the episcopal position of men who had been thrust into already occupied sees.² To have thrown the measure out altogether, however, would have been equivalent to denying the Church of England a right to exist: it passed with this limitation, and the bishops, with a tacit intimation that they were on their good behaviour, were recognized as legitimate.

The Consecration Bill was, however, but a preliminary skirmish, preparatory to the great question which

Bishop aforesaid, or before the last day of the present Session to be made by authority of any Act established in the first Session of this present Parliament, and all refusals of the same oath so tendered, or before the last day of this present Session to be tendered by any Archbishop or Bishop by authority of any law established in the first Session of this present Parliament, shall be void, and of none effect or validity in the law." — *Statutes of the Realm*, 8 Eliz. cap. I.

¹ "La peticion que se dió en el Parlamento por parte de los obispos Protestantes acerca de su confirmacion se pasó por la Camara baja sin contradiccion. En la alta tuvo once contradicciones, pero pasóse; no confirmandolo ellos sino á lo que hasta aqui se habia hecho en el ejercicio de su officio; con tanto que no se entendiese la confirmacion contra lo que hubiesen hecho ni podrian hacer en materia de sangre ni de bienes temporales. Lo de la sangre se entiende por el juramento que pedian á Bonner el buen Obispo de Londres, y á otros, acerca de lo de la religion, que es por lo que principalmente dicen que pedian la confirmacion; aunque daban á entender que por otros fines lo de bienes temporales han sentido; pero no fué segun entiendo este el intento; sino que obviar á que no les pierdan los, que no querian hacer el juramento." — De Silva to the King, November 11, 1566: *MS. Simancas*.

² Non-contents — Earls Northumberland, Westmoreland, Worcester, and Sussex; Lords Montague, Morley, Dudley, Darcy, Mounteagle, Cromwell, and Mordaunt.

both Houses, with opposite purposes, were determined to bring forward. The House of Commons was the same which had been elected at the beginning of the reign in the strength of the Protestant reaction. The oscillation of public feeling had left the majority of the members unaffected; they were still anxious to secure the reversion of the crown to the dying Lady Catherine and her children; and the tendencies of the country generally in favour of the Scotch succession made them more desirous than ever not to let the occasion pass through their hands. The House of Lords was in the interest of Mary Stuart, but some divisions had been already created by her quarrel with Darnley. The Commons perhaps thought that although the peers might prefer the Queen of Scots, they would acquiesce in the wife of Lord Hertford sooner than endure any more uncertainty; the Peers may have hoped the same in favour of their own candidate: they may have felt assured that when the question came once to be discussed, the superior right of the Queen of Scots, the known opinions of the lawyers in her favour, the scarcely concealed preference of the great body of English gentlemen, with the political advantages which would follow on the union of the crowns, must inevitably turn the scale for Mary Stuart, whatever the Commons might will. Both Houses at all events were determined to bear Elizabeth's vacillation no longer, to believe no more in promises which were made only to be broken, and either to decide once for all the future fortunes of England, or lay such a pressure on the Queen that she should be forbidden to trifle any more with her subjects' anxiety for her marriage.

On the 17th of October Cecil brought forward in

the Lower House a statement of the expenses of the French and Irish wars. On the 18th Mr. Molyneux, a barrister, proposed at once, amidst universal approbation, "to revive the suit for the succession," and to consider the demands of the exchequer only in connexion with the determination of an heir to the throne.¹

Elizabeth's first desire was to stifle the discussion at its commencement. Sir Ralph Sadler rose when Molyneux sat down, and "after divers propositions" "declared that he had heard the Queen say in the presence of the nobility that her highness minded to marry." Sadler possessed the confidence of the Protestants, and from him, if from any one, they would have accepted a declaration with which so steady an opponent of the Queen of Scots was satisfied; but the disappointment of the two previous sessions had taught them the meaning of words of this kind; a report of something said elsewhere to "the nobility" would not meet the present irritation; "their mind was to continue their suit, and to know her Highness's answer."

Elizabeth found it necessary to be more specific. The next day, first Cecil, then Sir Francis Knowles, then Sir Ambrose Cave declared formally that "the Queen by God's special providence was moved to marry, that she minded for the wealth of the commons to prosecute the same, and persuaded to see the sequel of that before further suit touching the succession."² Cecil and Cave were good Protestants, Knowles was an advanced Puritan, yet they were no more successful than Sadler; "the lawyers" still insisted; the House went with them in de-

¹ "October 18. — Motion made by Mr. Molyneux for the reviving of the suit for the succession, and to proceed with the subsidy, was very well allowed by the House." — *Commons' Journals*, 8 Eliz.

² *Ibid.*

clining to endure any longer a future which depended on the possible "movements" of the Queen's mind; and a vote was carried to press the question to an issue, and to invite the Lords to a conference. The Lords, as eager as the Commons, instantly acquiesced. Public business was suspended, and committees of the two Houses sat daily for a fortnight, preparing an address to the crown.¹

¹ Cecil, who was a member of the Commons' Committee, has left a paper of notes touching the main points of the situation:—

"October, 1566.

"To require both marriage and the stablishing of the succession is the uttermost that can be desired.

"To deny both the uttermost that can be denied.

"To require marriage is most natural, most easy, most plausible to the Queen's Majesty.

"To require certainty of succession is most plausible to all people.

"To require the succession is hardest to be obtained, both for the difficulty to discuss the right and the loathsomeness of the Queen's Majesty to consent thereto.

"The difficulty to discuss it is by reason of—

1. "The uncertainty of indifferency in the parties that shall discuss it.

2. "The uncertainty of the right pretended.

"The loathsomeness to grant it is by reason of natural suspicion against a successor that hath right by law to succeed.

"Corollarium.

"The mean betwixt them is to determine effectually to marry, and if it succeed not, then proceed to discussion of the right of succession."—*Domestic MSS.*, Eliz., Vol. XL.

Another paper, also in Cecil's hand, contains apparently a rough sketch for the address to the Crown:—

"That the marriage may proceed effectually.

"That it may be declared how necessary it is to have the succession established for sundry causes.

"Surety and quietness of the Queen's Majesty that no person may attempt anything to the furtherance of any supposed title when it shall be manifest how the right is settled. Whereunto may also be added sundry devices to stay every person in his duty, so as her Majesty may reign assuredly.

"The comfort of all good subjects that may remain assured, how and whom to obey lawfully, and how to avoid all errors in disobedience, whereby civil wars may be avoided.

"And because presently it seemeth very uncomfortable to the Queen's Majesty to hear of this at this time, and that it is hoped that God will direct

In spite of her struggles the Queen saw the net closing round her. Fair speeches were to serve her turn no longer, and either she would have to endure some husband whom she detested the very thought of, or submit to a settlement the result of which it was easy to foresee. Into her feelings, or into such aspect of them as she chose to exhibit, we once more gain curious insight through a letter of De Silva. So distinctly was Elizabeth's marriage the object of the present move of the House of Commons that the Queen of Scots, in dread of it, was contented to withdraw the pressure for a determination in her own favour, and consented to bide her time.

GUZMAN DE SILVA TO PHILIP II.¹

October 26.

"The Parliament is in full debate on the succession. The Queen is furious about it; she is advised that if the question come to a vote in the Lower House the greatest number of voices will be for the Lady Catherine. This lady and her husband, Lord Hertford, are Protestants; and a large number, probably an actual majority of the Commons, being heretics also, will declare for her in self-defence.

"I have never ceased to urge upon the Queen the inconvenience and danger to which she will be exposed if a successor is declared, and on

her heart to think more comfortably hereof, it may be required that her marriage may proceed with all convenient speed; and that if her Majesty cannot condescend to enter into the disquisition and stablishing of the succession in this Session, that yet for the satisfaction of her people she will prorogue this Parliament until another short time, within which it may be seen what God will dispose of her marriage, and then to begin her Parliament again, and to proceed in such sort as shall seem meetest then for the matter of succession, which may with more satisfaction be done to her Majesty if she shall then be married." — *Domestic MSS. Rolls House.*

¹ *MS. Simancas.*

the other hand her perfect security as soon as she has children of her own. She understands all this fully, and she told me three days ago that she would never consent. The Parliament, she said, had offered her two hundred and fifty thousand pounds as the price of her acquiescence ; but she had refused to accept anything on conditions. She had requested a subsidy for the public service in Ireland and elsewhere, and it should be given freely and graciously or not at all. She says she will not yield one jot to them, let them do what they will ; she means to dissemble with them and hear what they have to say, so that she may know their views, and the lady which each declares for¹ — meaning the Queen of Scots and Lady Catherine. I told her that if she would but marry, all this worry would be at an end. She assured me she would send this very week to the Emperor and settle everything ; and yet I learn from Sir Thomas Heeneage, who is the person hitherto most concerned in the Archduke affair, that she has grown much cooler about it.

“The members of the Lower House are almost all Protestants, and seeing the Queen in such a rage at them, I took occasion to point out to her the true character of this new religion, which will endure no rule and will have everything at its own pleasure without regard to the sovereign authority ; it was time for her to see to these things, and I bade her observe the contrast between these turbulent heretics and the quiet and obedience of her Catholic subjects. She said she could not tell what those devils were after.² They want liberty, madam, I replied, and if princes do not

¹ “Por conocer las voluntades y saber la dama de cada uno.”

² “Respondióme que no sabía que querían *estos demonios*.”

look to themselves and work in concert to put them down, they will find before long what all this is coming to.¹

"She could not but agree with me : she attempted a defence of her own subjects, as if there was some justice in their complaints of the uncertainty of the succession ; but she knows at heart what it really means, and by and by when she finds them obstinate she will understand it better. I told her before that I knew they would press her, and she would not believe me.

"Melville, the agent of the Queen of Scots, was with me yesterday. Her disagreement with her husband is doing her much mischief here ; yet that Queen has so much credit with the good all over the realm, that the blame is chiefly laid on the Lord Darnley. I have told Melville to urge upon them the necessity of reconciliation ; and I have written to the Commendador Major of Castile at Rome to speak to the Pope about it, and to desire his Holiness to send them his advice to the same effect. Melville tells me the Lords there are working together wonderfully well. He has given this Queen to understand that since she is reluctant to have the succession discussed, his mistress is so anxious to please her that she will not press for it ; she will only ask that if the question is forced forward after

¹ Elizabeth had before affected to be alarmed at the revolutionary tendencies of Protestantism. On the 15th of the preceding July, De Silva wrote —

"The Queen must be growing anxious. She often says to me that she wonders at the tendency of subjects now-a-days to anarchy and revolution. I invariably reply that this is the beginning, middle, and end of the inventors of new religions. They have an eye only to their own interests ; they care neither for God nor law, as they show by their works ; and princes ought to take order among themselves and unite to chastise their excesses." *MS. Simancas.*

all, she may have notice in time that she may send some one to plead in her behalf.

"This Queen is full of gratitude for her forbearance; she has told her that her present resolution is to keep the matter quiet; should her endeavours be unsuccessful, however, the Queen of Scots shall have all the information and all the help which she herself can give.

"Melville learns from a private source that this Queen will fail in her object. The question will be forced in the Queen of Scots' interest, and with the best intentions. Her friends are very numerous; we shall soon see how things go."

Melville's information was right. Having failed in full Parliament, Elizabeth tried next to work on the committee. The Marquis of Winchester was put forward to prevent the intended address. He brought to bear the weight of an experience which was older than the field of Bosworth; but he was listened to with impatience; not a single voice either from Peers or Commons was found to second him. Unable to do anything through others, the Queen sent for the principal noblemen concerned, to remonstrate with them herself in private.

Both Houses
determine to
press for a
settlement.

The Duke of Norfolk was the first called, and rumour said, though she herself afterwards denied the words, that she called him traitor and conspirator. Leicester, Pembroke, Northampton, and Lord William Howard came next. Norfolk had complained of his treatment to Pembroke: Pembroke told her that the Duke was a good friend both to the realm and to herself; if she would not listen to advice and do what the service of the commonwealth required, they must do it themselves.

Elizabeth
sends separately
for the Lords.

She was too angry to argue ; she told Pembroke he spoke like a foolish soldier, and knew not what he was saying. Then seeing Leicester at his side, "You, my lord," she said, "you ! If all the world forsook me I thought that you would be true !"

"Madam," Leicester said, "I am ready to die at your feet !"

"What has that to do with it ?" she answered.

"And you, my Lord Northampton," she went on, turning from one to the other, — "you, who when you had a wife of your own already could quote Scripture texts to help you to another ;¹ you forsooth must meddle with marriages for me ! You might employ yourself better I think."

She could make nothing of them nor they of her. Both Queen and Lords carried their complaints to De Silva ; the Lords urging him to use his influence to force her into taking the Archduke ; Elizabeth complaining of their insolence, and especially of the ingratitude of Leicester. Her very honour, she said, had suffered for the favour which she had shown to Leicester ; and now she would send him to his house in the country, and the Archduke should have nothing to be jealous of.²

The committee went on with the work. On the 2d of November the form of the address was still undetermined ; they were undecided whether to insist most on the marriage, or on the nomination, or on both. In some shape or other, however, a petition of a serious kind would unquestionably be presented, and Elizabeth prepared to receive it

¹ Northampton's divorce and second marriage had been one of the great scandals of the days of Edward.

² De Silva to Philip, November 4: *MS. Simancas*.

with as much self-restraint as she could command. Three days later she understood that the deliberations were concluded. To have the interview over as soon as possible Elizabeth sent for the committee at once; and on the afternoon of the 5th of November, "by her Highness's special commandment," twenty-five lay Peers, the Bishops of Durham and London, and thirty members of the Lower House presented themselves at the palace at Westminster.

The address was read by Bacon.

After grateful acknowledgments of the general government of the Queen, the two Houses ^{Presentation of the address.} desired, first, to express their wish that her Highness would be pleased to marry "where it should please her, with whom it should please her, and as soon as it should please her."

Further, as it was possible that her Highness might die without children, her faithful subjects were anxious to know more particularly the future prospects of the realm. Much as they wished to see her married, the settlement of the succession was even more important, "carrying with it such necessity, that without it they could not see how the safety of her royal person or the preservation of her imperial crown and realm could be or should be sufficiently and certainly provided for." "Her late illness" (the Queen had been unwell again), "the amazedness that most men of understanding were by fruit of that sickness brought unto," and the opportunity of making a definite arrangement while Parliament was sitting, were the motives which induced them to be more urgent than they would otherwise have cared to be. History and precedent alike recommended a speedy decision. They hoped that she might live to have a child of her own; but she was

mortal, and should she die before her subjects knew to whom their allegiance was due, a civil war stared them in the face. The decease of a prince leaving the realm without a government was the most frightful disaster which could befall the commonwealth; with the vacancy of the throne all writs were suspended, all commissions were void, law itself was dead. Her Majesty was not ignorant of these things. If she refused to provide a remedy, "it would be a dangerous burden before God upon her Majesty!" They had therefore felt it to be their duty to present this address; and on their knees they implored her to consider it and to give them an answer before the session closed."¹

Elizabeth had prepared her answer; as soon as Bacon ceased, she drew herself up and spoke as follows:—

Elizabeth
answers. "If the order of your cause had matched the weight
of your matter, the one might well have
craved reward, and the other much the
sooner be satisfied. But when I call to mind how far
from dutiful care, yea rather how nigh a traitorous
trick this tumbling cast did spring, I muse how men
of wit can so hardly use that gift they hold. I marvel
not much that bridleless colts do not know their rider's
hand whom bit of kingly rein did never snaffle yet.
Whether it was fit that so great a cause as this should
have had this beginning in such a public place as that,
let it be well weighed. Must all evil bodings that
might be recited be found little enough to hap to my
share? Was it well meant, think you, that those that
knew not how fit this matter was to be granted by the

¹ Dewes' *Journals*, 8 Eliz.

prince, would prejudicate their prince in aggravating the matter? so all their arguments tended to my careless care of this my dear realm."

So far she spoke from a form which remains in her own handwriting.¹ She continued perhaps in the same style; but her words remain only in the Spanish of De Silva.

"She was not surprised at the Commons," she said; "they had small experience and had acted like boys; but that the Lords should have gone along with them she confessed had filled her with wonder. There were some among them who had placed their swords at her disposal when her sister was on the throne, and had invited her to seize the crown; ² She knew but too well that if she allowed a successor to be named, there would be found men who would approach him or her with the same encouragement to disturb the peace of the realm. If she pleased she could name the persons to whom she alluded. When time and circumstances would allow she would see to the matter of their petition before they asked her; she would be sorry to be forced into doing anything which in reason and justice she was bound to do; and she concluded with a request that her words should not be misinterpreted."

So long as she was speaking to the lay Peers she controlled her temper; but her passion required a safety-valve, and she rarely lost an opportunity of affronting and insulting her bishops.

¹ Answer to the Parliament by the Queen; Autograph: *Domestic MSS.*, Eliz., Vol. XLI. *Rolls House*.

² "Entre los cuales habia habido algunos que reynando su hermana le ofrecian á ella ayuda y la querian mover á que quisiese procurar en su vida la corona." — De Silva al Rey, 11 November, 1566: *MS. Simancas*. It is tolerably certain that the Queen used these words. De Silva heard them first from the Queen herself, and afterwards from the Lords who were present.

Turning sharp round where Grindal and Pilkington were standing —

“And you, *doctors*,” she said — it was her pleasure to ignore their right to a higher title¹ — “you, The Bishops. I understand, make long prayers about this business. One of you dared to say in times past that I and my sister were bastards; and you must needs be interfering in what does not concern you. Go home and amend your own lives, and set an honest example in your families. The Lords in Parliament should have taught you to know your places; but if they have forgotten their duty I will not forget mine. Did I so choose I might make the impertinence of the whole set of you an excuse to withdraw my promise to marry; but for the realm’s sake I am resolved that I will marry; and I will take a husband that will not be to the taste of some of you. I have not married hitherto out of consideration for you; but it shall be done now, and you who have been so urgent with me will find the effects of it to your cost. Think you the prince who will be my consort will feel himself safe with such as you, who thus dare to thwart and cross your natural Queen?”

She turned on her heel and sailed out of the hall of audience, vouchsafing no other word. At once she sent for De Silva, and after profuse thanks to himself and Philip for their long and steady kindness, swelling with anger as she was, she gave him to understand that her course was chosen at last and forever; she would accept the Archduke and would be all which Spain could desire.

¹ “Volviendose á los obispos que se hallaron presentes á la platica, dijo, Vosotros doctores, no les llamando obispos, que haceis muchas oraciones,” &c.

Many of the peers came to her in the evening to make their excuses : they said that they had been misled by the Council, who had been the most in favour of the address ; and they had believed themselves to be acting as she had herself desired. The Upper House she might have succeeded in controlling ; but the Commons were in a more dangerous humour. They were prepared for a storm when they commenced the debate ; and they were not disposed to be lectured into submission. The next day Cecil rose in his place : the Queen, he said, had desired him to tell them that she was displeased, first, that the succession question should have been raised in that House without her consent having been first asked ; and secondly, because “ by the publication abroad of the necessity of the matter,” and the danger to the realm if it was left longer undecided, the responsibility of the refusal was thrown entirely upon her Majesty. The “ error ” she was ready to believe had risen chiefly from want of thought, and she was ready to overlook it. For the matter itself, her Highness thought that by her promises to marry she had rather deserved thanks than to be troubled with any new petition. “ The word of a prince spoken in a public place ” should have been taken as seriously meant ; and if her Majesty had before told them that she was unwilling, they should have been more ready to believe her when she said that she had made up her mind. Time and opportunity would prove her Majesty’s sincerity, and it was unkind to suppose that she would fail in producing children. Loyal subjects should hope the best. Her Majesty had confidence in God’s goodness ; and except for the assurance that she would have an heir, she would not marry at all. On this point she re-

Cecil tries
to soothe the
Commons.

quired the Houses to accept her word. For the succession she was not surprised at their uneasiness ; she was as conscious as they could be of the desirableness of a settlement. At the present moment, however, and in the existing state of parties in the realm, the thing was impossible, and she would hear no more of it.”¹

The Queen expected that after so positive a declaration she would escape further annoyance ; but times were changing, and the relations with them between sovereigns and subjects. The House listened in silence, not caring to conceal its dissatisfaction. The Friday following, being the 8th of November, “ Mr. Lambert began a learned oration for iteration of the suit to the Queen on the succession.”²

Whether they were terrified by the spectre of a second York and Lancaster war, or whether they were bent on making an effort for Lady Hertford before they were dissolved and another House was elected in the Scottish interest, or whether they disbelieved Elizabeth’s promises to marry, notwithstanding the vehemence of her asseverations, the Commons seemed resolute at all hazards to persevere. Other speeches followed on the same side, expressing all of them the same fixed determination ; and matters were now growing serious. The Spanish ambassador never lost a chance of irritating the Queen against the Protestant party ; and on Saturday, stimulated by De Silva’s invectives, and convinced, perhaps with justice, that she was herself essentially right, Elizabeth sent down an order that the subject should be approached

The Commons are obstinate.

¹ Report made to the Commons’ House by Mr. Secretary: *Domestic MSS. Rolls House.*

² *Commons’ Journals.*

no further on pain of her displeasure. The same night a note was flung into the presence-chamber saying that the debate on the succession had been undertaken because the commonwealth required it, and that if the Queen interfered it might be the worse for her.¹

In the most critical period of the reign of Henry the Eighth, speech in Parliament had been ostentatiously free; the Act of Appeals had been under discussion for two years and more; Catholic and Protestant had spoken their minds without restraint; yet among the many strained applications of the treason law no peer or commoner had been called to answer for words spoken by him in his place in the legislature. The Queen's injunction of silence had poured oil Question of privilege. into the fire, and raised a fresh and more dan-

gerous question of privilege. As soon as the House met again on Monday morning, Mr. Paul Wentworth rose to know whether such an order "was not against the liberties" of Parliament.² He and other members inquired whether a message sent by a public officer was authority sufficient to bind the House, or if neither the message itself nor the manner in which it was delivered was a breach of privilege, "what offence it was for any of the House to declare his opinion to be otherwise."³ The debate lasted five hours, and (a rare if not unprecedented occurrence) was adjourned.

Elizabeth, more angry than ever, sent for the Speaker; she insisted "that there should be no further

¹ "Á noche echáron en la camera de presencia un escrito que contenia en sustancia que se habia tratado en el Parlamento de la sucesion porque convenia al bien del Reyno, y que si la Reyna no consentia que se tratase dello que veria algunas cosas que no le placieran."—De Silva to Philip, November 11: *MS. Simancas*.

² *Commons' Journals*, 8 Eliz.

³ Note of Proceedings in Parliament, November 11: *Domestic MSS. Eliz.*, Vol. XLI.

argument: " if any member of either House was dissatisfied he must give his opinion before the Council.

The Commons having gone so far had no intention of yielding; and De Silva watched the crisis with a malicious hope of a collision between the two Houses, and of both with the Queen. The Lower House, he said, was determined to name a successor, and was all but unanimous for Lady Catherine; the Peers were as decided for the Queen of Scots.¹ A dissolution would leave the Treasury without a subsidy, and could not be thought of save at the last extremity. On the return of the Speaker the Commons named a committee to draw up an answer, which though in form studiously courteous was in substance as deliberately firm.² The finishing touch was given to it by Cecil, and the sentences added in his hand were those which insisted most on the liberty of Parliament, and most justified the attitude which the Commons had assumed.

After thanking the Queen for her promise to marry, and assuring her that whatever she might think to the contrary they meant nothing but what became them as loyal subjects, they said that they submitted reluctantly to her resolution to postpone the settlement of the succession, *being most sorry that any manner of impediment had appeared to her Majesty so great as to stay her from proceeding in the same.*³ They had however received a message implying " that they had deserved to be deprived, or at least seques-

¹ "Ellos pretenden libertad de proceder á lo del nombramiento de la sucesion en la qual en la camara superior tendra mucha parti la de Escocia; se tiene por cierto y assi lo creo que Caterina tendra casi todos los de la Camara baja, y assi parece que inclina todo á emocion." — De Silva to Philip, November 13: *MS. Simancas*.

² Draft of an Address to the Queen, submitted to the Committee of the Commons' House: *Domestic MSS.*, Eliz., Vol. XLI.

³ The words in Italics were added by Cecil.

trated, *much to their discomfort and infamy*,¹ from their ancient and laudable custom, always from the beginning necessarily annexed to their assembly, and by her Majesty *always*² confirmed — that is, a lawful sufferance and dutiful liberty to treat and devise matters honourable to her Majesty and profitable to the realm.” Before this message reached them “they had made no determination to deal in any way to her discontentation; they therefore besought her of her motherly love that they might continue in their course of duty, honouring and serving her like children, without any unnecessary, *unaccustomed*,³ or undeserved yoke of commandment; so⁴ should her Majesty continue the singular favour of her honour, wherein she did excel all monarchs, for ruling her subjects without misliking; and they also would enjoy the like praise above all other people for obeying without constraint — than the which no prince could desire more earthly honour, nor no people more earthly praise.”

No one knew better than Elizabeth how to withdraw from an indefensible position, and words so full of firmness and dignity might perhaps have produced an effect; but before the address could be presented a fresh apple of discord was thrown into the arena.

A book had appeared in Paris, written by a refugee Scot named Patrick Adamson. The subject of it was the birth of James; and the Queen of Scots' child was described as the heir of the English throne. Copies had been scattered about

Patrick
Adamson
on the
succession

¹ Added in Cecil's hand.

² The word first written was “graciously.” Cecil scratched through “graciously,” as if it implied that the liberties of the House of Commons depended on the pleasure of the Sovereign, and substituted “always.”

³ Cecil's hand.

⁴ The conclusion is entirely Cecil's.

London, and Elizabeth had already directed Mary Stuart's attention to the thing "as a matter strange and not to be justified."¹

On the 21st of November, on occasion of a measure laid before the House against the introduction of seditious books from abroad, a Mr. Dalton brought forward this production of Adamson in the fiercest Protestant spirit.

“How say you,” he exclaimed, “to a libel set forth in print calling the Infant of Scotland Prince of England, Scotland, and Ireland? Prince of England, Scotland, and Ireland! What enemy to the peace and quietness of the realm of England — what traitor to the crown of this realm hath devised, set forth, and published this dishonour against the Queen’s most excellent Majesty and the crown of England? Prince of England, and Queen Elizabeth as yet having no child! — Prince of England, and the Scottish Queen’s child! — Prince of Scotland and England, and Scotland before England! who ever heard or read that before this time? What true English heart may sustain to hear of this villany and reproach against the Queen’s highness and this her realm? It is so that it hath pleased her highness at this time to bar our speech; but if our mouths shall be stopped, and in the mean time such despite shall happen and pass without revenge, it will make the heart of a true Englishman break within his breast.”

“With the indignity of the matter being,” as he afterwards said, “set on fire,” Dalton went on to touch on dangerous matters, and entered on the forbidden

¹ Elizabeth to Bedford, November 13: *Scotch MSS. Rolls House*

subject of the Scottish title. The Speaker gently checked him, but not before he had uttered words which called out the whole sympathy of the Commons, and gave them an opportunity of showing how few friends in that house Mary Stuart as yet could count upon.¹

The story was carried to the Queen; she chose to believe that the House of Commons intended to defy her; she ordered Dalton into arrest and had him examined before the Star Chamber; she ^{Arrest of Dalton.} construed her own orders into a law, and seemed determined to govern the House of Commons as if it was a debating society of riotous boys.

The Commons behaved with great forbearance: they replied to the seizure of the offending member by requesting "to have leave to ^{The Commons demand a conference.} confer upon the liberties of the House."

The original question of the succession was lost in the larger one of privilege, and the address which they had previously drawn seemed no longer distinct enough for the occasion. The Council implored Elizabeth to consider what she was doing. As soon as her anger cooled she felt herself that she had gone too far, and not caring to face a conference, "foreseeing that thereof must needs have ensued more inconvenience than were meet," she drew back with temper not too ruffled to save her dignity in giving way. Her intention had been to extort or demand the sanction of the House for the prosecution of Dalton. Discovering in time that if they refused she had no means of compelling them, she would not risk an open rupture. The prisoner was released "with- ^{The Queen gives way.}

¹ Mr. Dalton's Speech, according to the Report: *Domestic MSS.*, *Elizabeth.* Vol. XLI.

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On the 21st of November, on occasion of a measure laid before the House against the introduction of seditious books from abroad, a Mr. Dalton brought forward this production of Adamson in the fiercest Protestant spirit.

Speech of
Mr. Dalton. "How say you," he exclaimed, "to a libel set forth in print calling the Infant of Scotland Prince of England, Scotland, and Ireland? Prince of England, Scotland, and Ireland! What enemy to the peace and quietness of the realm of England — what traitor to the crown of this realm hath devised, set forth, and published this dishonour against the Queen's most excellent Majesty and the crown of England? Prince of England, and Queen Elizabeth as yet having no child! — Prince of England, and the Scottish Queen's child! — Prince of Scotland and England, and Scotland before England! who ever heard or read that before this time? What true English heart may sustain to hear of this villany and reproach against the Queen's highness and this her realm? It is so that it hath pleased her highness at this time to bar our speech; but if our mouths shall be stopped, and in the mean time such despite shall happen and pass without revenge, it will make the heart of a true Englishman break within his breast."

"With the indignity of the matter being," as he afterwards said, "set on fire," Dalton went on to touch on dangerous matters, and entered on the forbidden

¹ Elizabeth to Bedford, November 13: *Scotch MSS. Rolls House*

subject of the Scottish title. The Speaker gently checked him, but not before he had uttered words which called out the whole sympathy of the Commons, and gave them an opportunity of showing how few friends in that house Mary Stuart as yet could count upon.¹

The story was carried to the Queen; she chose to believe that the House of Commons intended to defy her; she ordered Dalton into arrest and had him examined before the Star Chamber; she construed her own orders into a law, and seemed determined to govern the House of Commons as if it was a debating society of riotous boys.

The Commons behaved with great forbearance: they replied to the seizure of the offending member by requesting "to have leave to confer upon the liberties of the House." The Commons demand a conference.

The original question of the succession was lost in the larger one of privilege, and the address which they had previously drawn seemed no longer distinct enough for the occasion. The Council implored Elizabeth to consider what she was doing. As soon as her anger cooled she felt herself that she had gone too far, and not caring to face a conference, "foreseeing that thereof must needs have ensued more inconvenience than were meet," she drew back with temper not too ruffled to save her dignity in giving way. Her intention had been to extort or demand the sanction of the House for the prosecution of Dalton. Discovering in time that if they refused she had no means of compelling them, she would not risk an open rupture. The prisoner was released "with- The Queen gives way.

¹ Mr. Dalton's Speech, according to the Report: *Domestic MSS.*, *Elizabeth*. Vol. XLI.

out further question or trial," and on the 25th she sent orders to the Speaker "to relieve the House of the burden of her commandment." She had been assured, she said, that they had no intention of molesting her, and that they had been "much perplexed" by the receipt of her order; "she did not mean to prejudice any part of the laudable liberties heretofore granted to them;" she would therefore content herself with their obedient behaviour, and she trusted only that if any person should begin again to discuss any particular title, the Speaker would compel him to be silent.¹

The Commons were prudent enough to make the Queen's retreat an easy one. Having succeeded in resisting a dangerous encroachment of the crown they did not press their victory. The message sent through the Speaker was received by the House "most joyfully, with most hearty prayers and thanks for the same,"² and with the consent of all parties the question of Parliamentary privilege was allowed to drop.

Yet while ready to waive their right of discussing further the particular pretensions of the claimants of the crown, the Commons would not let the Queen believe that they acquiesced in being left in uncertainty. Two months had passed since the beginning of the session, and the subsidy had not been so much as discussed. The succession quarrel had commenced with the first motion for a grant of money, and had lasted with scarcely an interval ever since.

It was evident that although Elizabeth's objection to name a successor was rested on general grounds, it applied as strongly to Lady Catherine as to the Queen

¹ Note of the words of the Queen to the Speaker of the House of Commons: *Domestic MSS.*, Eliz., Vol. XLI. Leicester to Cecil, November 27: *MS. Ibid.*

² *Commons' Journals*, 8 Eliz.

of Scots, and had arisen professedly from the Queen's own experience in the lifetime of her sister; yet the Commons either suspected that she was secretly working in the Scottish interest, or they thought at all events that her procrastination served only to strengthen that interest, and that Mary Stuart's friends every day grew more numerous.

The Money Bill was reintroduced on the 27th. The House was anxious to compensate by its liberality for the trouble which it had given on other subjects, and the Queen was privately informed that the grant would be made unusually large. Elizabeth, determined not to be outdone, replied that although for the public service she might require all which they were ready to offer, "she counted her subjects in respect of their hearty good will her best treasurers;" and "she therefore would move them to for-

The Subsidy Bill.

bear at that time extending their gift as they proposed." The manner as well as the matter of the message was pointedly gracious, yet the Commons would have preferred her taking the money and listening to their opinions; and the bribe was as unsuccessful as the menace, in keeping them silent. They voted freely the sum which she would consent to take. It amounted in a rough estimate to an income tax of seven per cent. for two years; but an attempt was made to attach a preamble to the Bill which would commit the Queen in accepting it to what she was straining every nerve to avoid. Referring to the promise which she had made to the Committee, "the Commons humbly and earnestly besought her with the assistance of God's grace, having resolved to marry, to accelerate without more loss of time all her honourable actions tending thereto;" while "submitting themselves to

the will of Almighty God, in whose hands all power and counsel did consist, they would at the same time beseech Him to give her Majesty wisdom well to foresee, opportunity speedily to consult, and power with assent of the realm sufficiently to fulfil, without unnecessary delay, all that should be needful to her subjects and their posterity in the stablishing the succession of the crown, first in her own person and progeny, and next in such persons as law and justice should peaceably direct — according to the answer of Moses: ‘The Lord God of the spirit of all flesh set one over this great multitude which may go out and in before them, and lead them out and in, that the Lord’s people may not be as sheep without a shepherd.’ ”¹

The meaning of language such as this could not be mistaken. All the political advantages of December the Scottish succession would not compensate to “the Lord’s people” for such a shepherd as the person into whose hands they seemed to be visibly drifting. It was a grave misfortune for the Protestants that they could produce no better candidate than Lady Catherine Grey, who had professed herself a Catholic when Catholicism seemed likely to serve her turn; and to whom, notwithstanding her legal claim through the provisions of the will of Henry the Eighth, there were so many and so serious objections. The friends of the Queen of Scots had set in circulation a list of difficulties in the way of her acknowledgment, the weight of which fanaticism itself could not refuse to admit.²

¹ Preamble for the Subsidy Bill: *Domestic MSS.*, Vol. XLI. *Rolls House*.

² “Whatever be said, it is notorious that when Sir Charles Brandon married the French Queen he had a wife already living.

“The Lady Catherine is therefore illegitimate.

It is uncertain whether the preamble was ever forced on Elizabeth's attention. The draft of it alone remains to show what the Commons intended; and

"Even if this were not so, yet such hath been her life and behaviour, and so much hath she stained herself and her issue, as she is to be thought unworthy of the crown. For she was married, as you know, to the Lord Herbert; the marriage was performed and perfected by all necessary circumstances; there was consent of parties, consent of parents, open solemnizing, continuance till lawful years of consent, and in the mean time, carnal copulation; all which, save the last, are commonly known, and the last, which might be most doubtful, is known by confession of them both. She herself hath earnestly acknowledged the same.

"A divorce was procured by the Earl of Pembroke, in Queen Mary's reign, against their wills, so that it cannot be legal.

"Afterwards, she by dalliance fell to carnal company with the Earl of Hertford, which was not descried till the bigness of her belly bewrayed her ill hap. The marriage between them was declared unlawful by the bishop who examined it.

"The mother wicked and lascivious; the issue bastarded.

"If she were next in the blood royal, her fault is so much the more to have so foully spotted the same. She can have no lawful children. Deut. xiii. 23: — It is written, 'a bastard and unlawful-born person may not bear rule in the church and commonweal;' a law devised to punish the parents for their sins, so that such a mother ought in no case to be allowed to succeed.

"Next as to King Henry's will: —

"He had no power to bequeath the crown, except so far as Parliament gave him leave; and Parliament could only give him leave so far as the power of Parliament extended. The words of the statute give him no absolute or unlimited power to appoint an unfit person to the crown, not capable of the same — as unto a Turk, an Infidel, an infamous or opprobrious person, a fool, or a madman.

"But again, he had power to order the succession, either by Letters Patent, or by his will, signed with his own hand.

"He has not done it by Letters Patent; of that there is no doubt.

"His will, there are witnesses sufficient, and some of them that subscribed the same testament can truly and plainly testify, that he did not subscribe.

"The stamp might be appended when the King was void of memory, or else when he was deceased, as indeed it happened, as more manifestly appeared by open declaration made in Parliament by the late Lord Paget and others, that the King did not sign it with his own hand, and as it is plain and probable enough by the pardon obtained for one William Clerke for putting the stamp to the said will after the King was departed.

"As to the enrolment in Chancery, and the evidence on the Rolls that the will was accepted and acted on, this is nothing. It was his will whether signed or not, and so far as legacies, etc., were concerned, such as he had

either they despaired of prevailing on the Queen to accept the grant while such a prelude was linked to it, and were unwilling to embarrass the public service; or they preferred another expedient, to which they trusted less objection might be raised: the preamble at all events was abandoned; they substituted for it a general expression of gratitude for the promise to marry, and sent the Bill to the Lords on the 17th of December.

Meanwhile on the 5th a measure was introduced which, if less effective in the long run for the protection of the Reformation than the declaration of a Protestant successor, would have ended at once the ambiguity of the religious position of Elizabeth. The Thirty-nine Articles, strained and cracked by three centuries of evasive ingenuity, scarcely embarrass now the feeblest of consciences. The clergyman of the nineteenth century subscribes them with such a smile as might have been worn by Samson when his Philistine mistress bound his arms with the cords and withes. In the first years of Elizabeth they were the symbols by which the orthodox Protestant was distinguished from the concealed Catholic. The liturgy, with purposed ambiguity, could be used by those who were Papists save in the name; the Articles affirmed the falsehood of doctrines declared by the Church to be divine, and the Catholic who signed them either passed over to the new opinions or imperilled his soul with perjury. In their anxiety for conciliation, and for the semblance of unanimity, Elizabeth's Government had

power to make by the common law, so far it might be acted on. But in so far as the succession was concerned, it was invalid, because the form prescribed by the empowering statute, 35 Hen. VIII., had not been observed." *Answer to Mr. Hale's Book of the Successions, December, 1566: Domestic MSS., Eliz., Vol. XLI.*

as yet held these formulas at arm's length : the Convocation of 1562 had reimposed them so far as their powers extended ; but the decrees of Convocation were but shadows until vitalized by the legislature ; and both Queen and Parliament had refused to give the authority of law to a code of doctrines which might convulse the kingdom.

On the failure of the suit for the succession, a Bill was brought into the Lower House to make subscription to the Articles a condition for the tenure of benefices in the Church of England. Bill for the reimposition of the Thirty-nine Articles. The move was so sudden and the Commons were so swift that there was no time for resistance. It was hurried through its three readings and given to the bishops to carry through the Lords. A letter from De Silva to Philip shows the importance which both Catholic and Protestant attached to it : —

DE SILVA TO PHILIP II.

December, 1566.

“Religion is again under discussion here ; these heretic bishops are urging forward their malicious pretences ; they say that it is desirable for the realm to profess an uniform belief, and they desire to have their doctrine enforced by temporal penalties as soon as it has been sanctioned by Parliament.

“The Catholics are in great alarm and entreat the Queen to withhold her sanction. I spent some time with her yesterday, and to bring on the subject I said that the Subsidy Bill having been passed it would be well if she let the Parliament end. The longer it lasted the more annoyance it would cause to her ; and she might assure herself that these popular assemblies could not fail to produce

De Silva advises the Queen to dissolve Parliament.

disquiet, more particularly where the Commons had liberty of speech and were so much inclined to novelties.

"She agreed with me in this. She said the Commons had now entered upon a subject which was wholly alien to their duties ; they were acting in contradiction to their late professions, and she would endeavour to send them about their business before Christmas.

"I pointed out to her the mischievous intention of the men who had brought these religious questions forward. They had no care for her or for the commonwealth, and they simply meant sedition. She was at peace so far, and had lived and reigned in safety all these years on the principles on which Cecil had carried on the government. If there was now to be a change, the insolence of the upholders of novelties would disturb everything. Hitherto the Pope and the Catholic powers had abstained from declaring against her, in the belief that her subjects were equitably and wisely governed, and that she would allow no one to be injured or offended. Should they now see her preparing to change her course they would perhaps reconsider the situation, and troubles might ensue, of which I, as the minister of your Majesty who so ardently desired her well-being, could not but give her honest warning.

"She went into the subject at some length. She said that those who were engaged upon it had given her to understand that it was for her own good, and had promised every one of them to stand by her and defend her against all her enemies.

"I told her she could not but see that these new religionists were only frightening her—in order that they might bring her to declare more decisively for them and against the Catholics. They pretended that

if she separated herself from them — if she did not yield in all points to what they wished — she would be in danger on account of the sentence which had been given at Rome in favour of Queen Catherine. I could assure her that she had but to express a desire to that effect and the Pope would immediately remove the difficulty ; I knew in fact that he was extremely anxious to remove it. Being her father's daughter, born in his house, having been named by him with consent of Parliament to succeed after her sister, and being Queen in possession, she had nothing really to fear — she would find powerful friends everywhere.

“It was true, she admitted, that the Pope had offered to reverse the sentence, but he had made it a condition that she should submit to him absolutely and unreservedly.

“If his Holiness had done this, I said, he was not actuated by any covetous ambition, but by the sincerest interest in herself and the realm. In the present Pope she might feel the fullest confidence ; and at all events there was no more reason for making innovations now than there had been at the beginning of her reign. She would do better to wait till time should enable her to see her way.

“She said that she thought as I did : she believed, however, that her people were afraid if she married the Archduke that the old religion would be brought in again : they were pressing forward these changes as a precaution.

“A little while ago, I said, her Council were most afraid that she would not marry at all.

“True, she answered ; that was their fear or their pretended fear — and their present conduct showed how dishonest they had been. Marry, however, she

would, if it was only to vex them. She would have been glad, she said, had there been any one in Parliament who could have checked the Bill in its progress; if it passed the Lords, she feared she would be unable to resist the pressure which would be brought to bear upon her."

Either Elizabeth feared another quarrel and distrusted her own strength, or she wished to deceive De Silva into believing her opposition to the Bill to be more sincere than it really was. The remonstrances of the Catholics, however, and her own better judgment prevailed at last. She collected her courage and sent a message to the Peers desiring that the Bill of Religion should go no further. The bishops were the persons in the Upper House for whom alone the question had much interest; and Elizabeth understood how to manage them. The Commons had resisted one order — the bishops thought they could resist another. Their first impulse was to entreat the Queen to reconsider her command — to let the debate go forward, and "if the Bill was found good by the Lords, that she would be pleased for the glory of God to give her gracious assent to the same."¹ A petition to this effect was presented carrying the signatures of the two archbishops and thirteen bishops. The Queen sent immediately for Parker and three or four more, and inquired which of them had been the first promoters of the Bill. Though it first appeared in the Lower House, she said, it must have originated with some one on the Bench; and though she had no objection to the doctrine of the Articles — "for it was that which she did openly pro-

¹ Petition of the Bishops to the Queen, December, 1566: *Domestic MSS.*, Eliz., Vol. XLI.

fess" — she objected seriously to sudden irregular action "without her knowledge and consent" on a question of such magnitude.

Had Elizabeth scolded in the tone usual with her towards the Church authorities, she might have found them obstinate; but she spoke reasonably and they were frightened. The archbishops, though their names headed the signatures to the petition, disclaimed eagerly the responsibility of the initiation. She bade them find out by whom it had been done. The Archbishop of Canterbury reported to Cecil "that most of his brethren answered, as he had done, that they knew nothing of it." Having extracted a disavowal from the majority of the Bench, Elizabeth was able to shield her objections behind their indifference; she had checkmated them, and the obnoxious measure disappeared.

The Bill is stopped.

Thus gradually the storms of the session were blowing over. The Queen seemed at last to have really resolved on marriage, and her determination gave her courage to encounter her other difficulties with an increase of firmness. She promised the advocates of the Scotch title that the will of Henry the Eighth should be examined immediately on the close of the session, and that a fair legal opinion should be taken on the Queen of Scots' claims;¹ and she gave Mary Stuart a significant evidence of her good will in closing promptly and peremptorily a discussion which had commenced at Lincoln's Inn in the interests of the rival candidate. The lawyers, disappointed of their debate in the House of Commons, began it again in the Inns of Court — where there was no privilege to protect incautious speakers. Mr. Thornton,

Elizabeth forbids the discussion of the Scottish title.

¹ De Silva to Philip, December 16: *MS. Simancas*.

an eloquent advocate of Lady Catherine, was sent to the Tower; and even Cecil earned the thanks of the Queen of Scots by the energy with which he seconded his mistress in silencing opposition.¹

¹ On the 5th of January, Murray thanked Cecil in his own and the Queen's name for "his cordial dealing." "Her Majesty," wrote Maitland to him, "is very well satisfied with your behaviour. I pray you so continue, not doubting but you shall find her a thankful princess." "Melville," he added, "reports nothing but good of you, touching the repairing the injury done against my mistress at Lincoln's Inn." — *Scotch MSS. Rolls House.*

Cecil's conduct in the succession struggle is not easy to make out. Neither memorandum nor letter of his own remain to show his real feelings; but though he might naturally have been looked for among the supporters of Lady Catherine Grey, he seems to have given thorough satisfaction to the friends of the Queen of Scots. He must have written to Maitland immediately after Elizabeth's first answer to the address of the Houses, regretting her resolution to leave the question unsettled; and he must have led Maitland to suppose that he had wished Mary Stuart to have been the person nominated; for Maitland, answering his letter on the 11th of November, gave him "hearty thanks for the pains which he had taken in the busy matter which he had had in hand," and then went on more pointedly —

"I look not in my time to see the matter in any perfection, for I think it is not the pleasure of God to have the subjects of this isle thoroughly settled in their judgment; for which cause he doth keep things most necessary undetermined, so as they shall always have somewhat wherewith to be exercised. The experience I have had of late in my own person makes me the less to marvel when I hear your doings are misconstrued by backbiters. Whosoever will meddle with public affairs and princes must be content to bear that burden. I never doubted the sincerity of your intentions, and I doubt not time shall convince those that think the contrary even in their own conscience, whenas themselves shall be content to justify your councils, which now are ignorant to what scope they are directed."

On the 17th of November, Mary Stuart herself wrote to Cecil, saying "that the bruits were passed which reported him to be a hinderer to her advancement, and that she knew him to be a wise man."

On the 18th, Murray wrote that "he had always found Cecil most earnest to produce good feeling and a sound understanding between England and Scotland, and between the two Queens; and so," he said, "my trust is that ye will continue favourable to the end in all her Highness's affairs, which for my own part I will most earnestly crave of you, being most assured there is no daughter in the isle doth more reverence her natural mother nor my Sovereign the Queen your mistress. Nor sure I am can she be induced by any means to seek or procure that which may in any sort offend her Majesty." — *Scotch MSS. Rolls House.*

It is possible that even Cecil's vigilance had been laid asleep by the sub-

Elizabeth herself wrote to the Queen of Scots, no longer insisting on the Treaty of Leith — no longer stipulating for embarrassing conditions. Substantially conceding all the points which were in dispute between them, she proposed that they should mutually bind themselves by a contract in which Mary Stuart should undertake to do nothing against Elizabeth during the lifetime of herself or her children ; while Elizabeth would “engage never to do or suffer anything to be done to the prejudice of the Queen of Scots’ title and interest as her next cousin.”¹

Proposed
bond
between
Elizabeth
and the
Queen of
Scots.

The Queen of Scots declared herself, in reply, assured of Elizabeth’s “good mind and entire affection” towards her ; “she did not doubt that in time her sister would proceed to the perfecting and consideration of that which she had begun to utter, as well to her own people as to other nations — the opinion which her sister had of the equity of her cause ;” and she promised to send a commission to London to settle the terms in which the contract “might pass orderly to both their contentments.”²

January.

Thus the struggle was over ; though unrecognized by a formal Act of Parliament, Mary Stuart had won the day, and was virtually regarded as the heir presumptive to the English throne. Elizabeth’s own wishes had pointed throughout to this conclusion, if the Queen of Scots would consent to seek her object in any other capacity than as the representative of a revolution. The reconciliation of the two factions in Scotland, and the restoration of Murray and Maitland

missive attitude which the Queen of Scots had assumed towards Elizabeth, and by the seeming restoration of Murray to her confidence.

¹ Elizabeth to the Queen of Scots, December, 1566: *MS. Rolls House.*

² The Queen of Scots to Elizabeth, January 3, 1567: *Scotch MSS. Rolls House.*

to confidence and authority, were accepted as an indication of a changed purpose; and harassed by her subjects, goaded into a marriage which she detested, and exhausted by a struggle which threatened a dangerous breach between herself and the nation, Elizabeth closed the long chapter of distrust, and yielded or prepared to yield all that was demanded of her.

Having thus made up her mind she resolved to break up the Parliament, and to punish the refractory House of Commons by a dissolution. After another election the Puritans would be in a minority. The succession could be legally established without division or quarrel, guarded by such moderate guarantees as might secure the mutual toleration of the two creeds.

For the first time in Parliamentary history a session had been wasted in barren disputes. On the 2d of January, between two and three in the afternoon, the Queen appeared in the House of Lords to bring it to an end. The Commons were called to the bar; the Speaker, Mr. Onslow, read a complimentary address, in which he described the English nation as happy in a sovereign who understood her duties, who prevented her subjects from injuring one another, and knew "how to make quiet among the ministers of religion." He touched on the many excellences of the constitution, and finally with some imprudence ventured an allusion to the restrictions on the royal authority.

"There be," he said, "for the prince provided princely prerogatives and royalties, yet not such as the prince can take money or other things or do as she will at her own pleasure without order; but quietly to suffer her subjects to enjoy their own without wrong-

The close of
the Session.

ful oppression ; whereas other princes by their liberty do take as pleaseth them."

"Your Majesty," he went on turning to Elizabeth, "has not attempted to make laws contrary to order but orderly has called this Parliament, which perceived certain wants and thereunto have put their helping hands, and for help of evil manners good laws are brought forth."

Then going to the sorest of all sore and wounding subjects he concluded, "we give hearty thanks to God for that your highness has signified your pleasure of your inclination to marriage, which afore you were not given unto ; which is done for our safeguard, that when God shall call you, you may leave of your own body to succeed you. Therefore God grant us that you will shortly embrace the holy state of matrimony, when and with whom God shall appoint and shall best like your Majesty."

Elizabeth's humour, none the happiest at the commencement, was not improved by this fresh chafing of her galled side. She had come prepared to lecture others, not to listen to a homily. She beckoned Bacon to her and spoke a few words to him. He then rose and said that the general parts of the Speaker's address her Majesty liked well, and therefore he need not touch on them ; on the latter and more particular expressions used in it a few words were necessary.

"Politick orders," he said, "be the rules of all good acts, and touching them that you have made to the overthrowing of good laws" (your Bill of Religion, with which you meant to tyrannize over conscience), "these deserve reproof as well as the others deserve praise. In which like cause you err in bringing her Majesty's prerogative into question, and for that thing

wherein she meant not to hurt any of your liberties. Her Majesty's nature, however, is mild ; she will not be austere ; and therefore though at this time she suffer you all to depart quietly into your counties for your amendment, yet as it is needful she hopeth the offenders will hereafter use themselves well."

The Acts of the session were then read out and received the royal assent ; all seemed over, and it was by this time dusk ; when Elizabeth herself, in the uncertain light, rose from the throne, stood forward in her robes, and spoke.

"My Lords and other Commons of this assembly :
Speech of Elizabeth. although the Lord Keeper hath according to order very well answered in my name, yet as a periphrasis I have a few words further to speak unto you, notwithstanding I have not been used nor love to do it in such open assemblies. Yet now, not to the end to amend his talk, but remembering that commonly princes' own words are better printed in the hearers' memory than those spoken by her command, I mean to say thus much unto you.

"I have in this assembly found such dissimulation where I always professed plainness, that I marvel thereat : yea two faces under one hood, and the body rotten, being covered with the two vizors succession and liberty — which they determined must be either presently granted, denied, or deferred ; in granting whereof they had their desire ; and denying or deferring thereof, those things being so plaudable as indeed to all men they are, they thought to work me that mischief which never foreign enemy could bring to pass — which is the hatred of my Commons.

"But alas ! they began to pierce the vessel before

the wine was fined, and began a thing not foreseeing the end, how by this means I have seen my well-willers from my enemies, and can as meseemeth very well divide the House into four : —

“ 1. The broachers and workers thereof, who are in the greatest fault.

“ 2. The speakers, who by eloquent tales persuaded the rest, are next in degree.

“ 3. The agreeers, who being so light of credit that the eloquence of those tales so overcame them that they gave more credit thereunto than unto their own wits.

“ 4. Those that sat still and mute, and meddled not therewith, but rather wondered disallowing the matter ; who in my opinion are most to be excused.

“ But do you think that either I am so unmindful of your surety by succession, wherein is all my care, considering I know myself to be but mortal ? No, I warrant you. Or that I went about to break your liberties ? No, it never was in my meaning ; but to stay you before you fell into the ditch. For all things have their time ; and although perhaps you may have after me a better-learned or wiser, yet I assure you, none more careful over you ; and therefore henceforth, whether I live to see the like assembly or no, or whoever it be, yet beware how you prove your prince's patience as you have now done mine.

“ And now to conclude all this ; notwithstanding, not meaning to make a Lent of Christmas, the most part of you may assure yourselves that you depart in your prince's grace.

“ My Lord Keeper, you will do as I bid you.”

Again Bacon rose and in a loud voice said, “ The

Dissolution
of Parlia-
ment.

Queen's Majesty doth dissolve this Parli-
ament. Let every man depart at his pleas-
ure."

Elizabeth swept away in the gloom, passed to her barge, and returned to the palace. The Lords and Commons scattered through the English counties, and five years went by before another Parliament met again at Westminster in a changed world.

On that evening the immediate prospect before Eng-
Prospect of
England. land was the Queen's marriage with an Aus-
trian Catholic prince, the recognition more
or less distant of the Catholic Mary Stuart as heir
presumptive, the establishment with the support and
sanction of the Catholic powers of some moderate
form of government, under which the Catholic wor-
ship would be first tolerated and then creep on towards
ascendancy. It might have ended, had Elizabeth been
strong enough, in broad intellectual freedom; more
likely it would have ended in the reappearance of the
Marian fanaticism, to be encountered by passions as
fierce and irrational as itself; and to the probable issue
of that conflict conjecture fails to penetrate.

But the era of toleration was yet centuries distant;
and the day of the Roman persecutors was gone
never more to reappear. Six weeks later a powder
barrel exploded in a house in Edinburgh, and when
the smoke cleared away the prospects of the Catholics
in England were scattered to all the winds.

The murder of Henry Stuart Lord Darnley is one
of those incidents which will remain till the end of
time conspicuous on the page of history. In itself the
death of a single boy, prince or king though he might
be, had little in it to startle the hard world of the six-
teenth century. Even before the folly and falsehood

by which Mary Stuart's husband had earned the hatred of the Scotch nobility, it had been foreseen that such a frail and giddy summer pleasure-boat would be soon wrecked in those stormy waters. Had Darnley been stabbed in a scuffle or helped to death by a dose of arsenic in his bed, the fair fame of the Queen of Scots would have suffered little, and the tongues that dared to mutter would have been easily silenced. But conspiracies in Scotland were never managed with the skilful villany of the Continent; and when some conspicuous person was to be removed out of the way, the instruments of the deed were either fanatic religionists, who looked on themselves as the servants of God, or else they had been wrought up to the murder point by some personal passion which was not contented with the death of its victim, and required a fuller satisfaction in the picturesqueness of dramatic revenge. The circumstances under which the obstacle to Mary Stuart's peace was disposed of challenged the attention of the whole civilized world, and no after efforts availed in court, creed, or nation, to hide the memory of the scenes which were revealed in that sudden lightning flash.

The disorders of the Scots upon the Border had long been a subject of remonstrance from the English Government. The Queen of Scots, while the Parliament was sitting at Westminster, desired to give some public proof of her wish to conciliate; and after the strange appearance of Darnley in September at the Council at Edinburgh, she proposed to go in person to Jedburgh and hear the complaints of Elizabeth's wardens. The Earl of Bothwell had taken command of the North Marches: he had gone down to prepare the way for the Queen's ap-

The Queen
of Scots
goes to
Jedburgh.

press had been sent to Glasgow for Darnley, but he did not appear. On Friday, the 25th, there was a relapse; shiverings came on, the body grew rigid, the eyes were closed, the mouth set and motionless; she lost consciousness so entirely that she was supposed to be dying or dead; and in expectation of an immediate end a menacing order to keep the peace was sent out by Murray, Maitland, Huntly, and the other Lords who were in attendance on her.

The physician, "Master Naw," however, "a perfytt man of his craft," "would not give the matter over." He restored the circulation by chafing the limbs; the Queen came to herself at last, broke into a profuse perspiration, and fell into a natural sleep. When she awoke, the fever was gone, but her strength was prostrated. For the few next days she still believed herself in danger, and with the outward signs, and so far as could be seen with the inward spirit of Catholic piety, she prepared to meet what might be coming upon her. The Bishop of Ross was ever on his knees at her bed-side; and courageous always, she professed herself ready to die if so it was to be. She recommended the Prince to the Lords; through Murray she bequeathed the care of him to Elizabeth — through Du Crocq, to the King of France and Catherine de Medici — and for Scotland she implored them all as her last request "to trouble no man in his conscience that professed the Catholic faith," in which she herself had been brought up and was ready to die.

How much of all this was real, how much theatrical, it is needless to inquire; the most ardent admirer of Mary Stuart will not claim for her a character of piety, in any sense of the word which connects it with the moral law; those who regard her with most suspicion

will not refuse her the credit of devotion to the Catholic cause.

In a week all alarm was at an end. At length, but so late that his appearance was an affront, Darnley arrived: he was received with coldness; but for the interposition of Murray he would not have been allowed to remain a single night, and the next morning he was dismissed to return to his father. In unhappy contrast the Earl of Bothwell was brought as soon as he could be moved to Jedburgh; and on the 10th of November the court broke up, and proceeded by slow journeys towards Edinburgh for the Prince's baptism. At Kelso the Queen found a letter from her husband. It seems that he had been again writing in complaint of her to the Pope and the Catholic powers.¹ He was probably no less unwise in the words which he used to herself; and she exclaimed passionately in Murray's and Maitland's presence "that unless she was freed of him in some way she had no pleasure to live, and if she could find no other remedy she would put hand to it herself."²

Leaving Kelso and skirting the Border, she looked from Halydon Hill over Berwick and the English lines, and that fair vision of the future where Darnley was the single darkening image. A train of knights and gentlemen came out to do her homage and attend her to Ayemouth; the Berwick batteries as she went by saluted the heiress of the English crown; all through Northumberland,

Mary Stuart
on the
English
Border.

¹ De Silva in a letter, late in the winter, to Philip, spoke of writing to the Queen of Scots — "A cerca del mal oficio que su marido habia hecho contra ella con V. M^a. y con el Papa y Principes en lo de su religion." — *MS. Simancas.*

² Calderwood.

through Yorkshire, to the very gates of London, had she cared to visit Elizabeth, Mary Stuart would have been then received with all but regal honours. The Earl of Bedford — of all English nobles the most determined of her opponents — was preparing to be present at the approaching baptism, to make his peace as Elizabeth's representative. From Dunbar she wrote to Cecil and the rest of the Council as to "her good friends," to whom she committed the care of "her cause." From thence she passed on to Craigmillar¹ to recruit her strength in the keen breezy air.

Some heavy weight still hung upon her spirits: her brilliant prospects failed to cheer her. "The Queen is at Craigmillar," wrote Du Crocq at the end of November; "she is still sick, and I be-
Mary Stuart
at Craigmillar.
lieve the principal part of her disease to consist of a deep grief and sorrow: nor can she, it seems, forget the same; again and again she says she wishes she were dead."²

To the Lords who had attended her to Dalkeith the cause of her trouble was but too notorious. Instead of listening to her entreaties to relieve her of her husband, the Pope had probably followed the advice of De Silva, and had urged her to be reconciled to him: at any rate she must have known the anxiety of her English friends, and must have felt more wearily than ever the burden of the chain with which she had bound herself. Bothwell, Murray, Maitland, and Huntly continued at her side, and at Craigmillar they were joined by Argyle.

The lords and gentlemen who had been concerned in Ritzio's murder had by this time most of them re-

¹ Three miles south of Edinburgh, on the road to Dalkeith.

² Du Crocq to the Archbishop of Glasgow: Keith.

ceived their pardon; but the Queen had still found herself unable to forgive Morton, who, with Lindsay, young Ruthven, and Ker, was still an exile in England. Their friends had never ceased to intercede for them.

December.
Consultation
of the Lords.

One morning while Argyle was still in bed, Murray and Maitland came to his room; and Maitland beginning upon the subject, said that "the best way to obtain Morton's pardon was to promise the Queen to find means to divorce her from her husband."

Argyle said he did not know how it could be done.

"My Lord," said Maitland, "care you not for that, we shall find the means to make her quit of him well enough, if you and Lord Huntly will look on and not take offence."

Scotland was still entangled in the Canon Law, and some trick could be made available if the nobles agreed to allow it. Huntly entered as the others were talking. They offered him the restoration of the Gordon estates if he would consent to Morton's return: he took the price, and agreed with the rest to forward the divorce.

The four noblemen then went together to Bothwell, who professed equal readiness: he accompanied them to the Queen; and Maitland in the name of the rest undertook to deliver her from Darnley on condition that she pardoned Morton and his companions.

Proposal for
a divorce.

Mary Stuart was craving for release: she said generally that she would do what they required; but embarrassed as she was by her connexion with Rome, she was unable to understand how a divorce could be managed, or how if they succeeded they could save the legitimacy of her child. So obvious a difficulty could

not have been unforeseen. Under the old law of the Church the dissolution of marriage was so frequent and facile, that by a kind of tacit agreement children born from connexions assumed at the time to be lawful were, like Mary and Elizabeth of England, allowed to pass as legitimate, and to succeed to their fathers' estates. The Earl of Angus and Queen Margaret were divorced, yet the English Council had tried in vain to fix a stigma on the birth of Lady Lennox. Archbishop Parker more recently had divorced Hertford and Lady Catherine Grey, yet their son was still the favourite for the succession of the English Protestants. Bothwell was ready with an instance from his own experience. The marriage between his own father and mother had been declared invalid, yet he had inherited the earldom without challenge.

The interests which depended on the young Prince of Scotland, however, were too vast to be lightly put in hazard; there was another and a shorter road out of the difficulty.

"Madam," said Maitland, "we are here the chief of your Grace's council and nobility; we shall find the means that your Majesty shall be quit of your husband without prejudice of your son, and albeit that my Lord of Murray here present be little less scrupulous for a Protestant than your Grace is for a Papist, I am assured he will look through his fingers thereto, and will behold our doings, saying nothing to the same."

The words were scarcely ambiguous, yet Murray said nothing. Such subjects are not usually discussed in too loud a tone, and he may not have heard them distinctly. He himself swore afterwards "that if any man said he was present when purposes were held in

his audience tending to any unlawful or dishonourable end, he spoke wickedly and untruly."¹

But Mary herself — how did she receive the dark suggestion? This part of the story rests on the evidence of her own friends, and was drawn up in her excuse and defence. According to Argyle and Huntly she said she "would do nothing to touch her honour and conscience;" "they had better leave it alone;" "meaning to do her good, it might turn to her hurt and displeasure."²

She may be credited with having refused her consent to the proposals then made to her; and yet that such a conversation should have passed in her presence (of the truth of the main features of it there is no room for doubt) was serious and significant. The secret was ill kept: it reached the ears of the Spanish ambassador, who, though he could not believe it true, wrote an account of it to Philip.³ The Queen was perhaps serious in her reluctance; perhaps she desired not to know what was intended till the deed was done.

"This they should have done,
And not have spoken of it. In her 't was villany;
In them it had been good service."

Those among the Lords at all events who were most in Mary Stuart's confidence concluded that if they went their own way they had nothing to fear from her resentment. Four of the party present — Argyle, Huntly, Maitland, and Bothwell, with a cousin of

¹ Reply of Murray to the declarations of the Earls of Huntly and Argyle: Keith.

² Declarations of Huntly and Argyle: Ibid.

³ "Había entendido que viendo algunos el desgusto que había entre estos Reyes, habían ofrecido á la Reyna de hacer algo contra su marido, y que ella no había venido en ello. Aunque tuve este aviso de buena parte, parecióme cosa que no se debía creer que se hubiese tratado con la Reyna semejante plática." — De Silva to Philip, January 18: *MS. Simancas*.

Bothwell, Sir James Balfour — signed a bond immediately afterwards, while the court was still at Craigmillar, to the following purpose: —

“That for sae meikle, as it was thought expedient and profitable for the commonweal, by the nobility and lords underwritten, that sic an ^{Bond for the destruction of Darnley.} young fool and proud tyran (as the King) should not bear rule of them — for divers causes therefore they all had concluded that he should be put forth by one way or other — and whosoever should take the deed in hand or do it, they should defend and fortify it, for it should be by every one of them reckoned and holden done by themselves.”¹

The curtain, which was thus for a moment drawn aside, again closes. The Queen went in the first week of December to Stirling, where Darnley was allowed to join her; and the English Catholics, who had been alarmed at the rumours which had gone abroad, flattered themselves into a hope that all would again go well. The King would make amends for the past by affection and submission; Mary Stuart would in time obliterate the painful feelings which her neglect of him had aroused.²

A few days after, the Earl of Bedford arrived from England: the Parliament was then approaching its conclusion; the storm had subsided, and Elizabeth, free to act for herself, had commissioned Bedford to tell the Queen of Scots that her claims should be investigated as soon as possible, and “should receive as much fa-

¹ Ormeston's confession: Pitcairn's *Criminal Trials of Scotland*.

² “El Rey de Escocia ha ya viente dias que esta con la Reyna, y comen juntos; y aunque parece que no perderá tan presto del todo el desgusto del Rey por las cosas pasadas, todavia piensa que el tiempo, y estar juntos, y el Rey determinado de complacerle, hará mucho en la buena reconciliacion.”

— De Silva to Philip, December 18: *MS. Simancas*.

your as she could desire to her contentation.”¹ The ambassador had brought with him a magnificent font of gold weighing 330 ozs. as a splendid present to the heir of the English throne. The Prince, who was to have been dipped in it at his baptism, had grown too large by the delay of the ceremony; but Elizabeth suggested that it might be used for “the next child.”²

The time had been when these things would have satisfied Mary Stuart’s utmost hopes, and have filled her with exultation. Her thoughts, interests, and anxieties were now otherwise occupied. On the 15th, at five in the evening, the Prince was baptized by torch-light in Stirling Chapel; the service was that of the Catholic Church; the Archbishop of St. Andrew’s, the most abandoned of all Episcopal scoundrels, officiated, supported by three of his brethren. The French ambassador carried the child into the aisle; the Countess of Argyle, the same who had been present at Ritzio’s murder, held him at the font as Elizabeth’s representative; and three of the Scottish noblemen — Eglinton, Athol, and Ross — were present at the ceremony. The rest, with the English ambassador, stood outside the door. It boded ill for the supposed reconciliation that the Prince’s father, though in the castle at the time, remained in his own room, either still brooding over his wrongs and afraid that some insult should be passed upon him, or else forbidden by the Queen to appear.

As soon as the baptism was over the suit for the restoration of Morton was continued: Bedford added his intercession to that of Murray; Bothwell, Athol, and all the other noblemen joined in the entreaty; and

¹ Instructions to the Earl of Bedford going to Scotland: Keith.

² Ibid.

on the 24th the Queen, with some affectation of reluctance, gave way. George Douglas, who had been the first to strike Ritzio, and Faldonside, who had held a pistol to her breast, were alone excepted from a general and final pardon.¹

Pardon of
Morton and
terror of
Darnley.

Under any circumstances it could only have been with terror that Darnley could have encountered Morton and young Ruthven; but the conversation at Craigmillar, which had stolen into England, had been carried equally to his own ear. He knew that the pardon of Ritzio's murderers had been connected with his own destruction; and a whisper had reached him also of the bond which, though unsigned by the Queen, had been "drawn by her own device."² So long as Morton remained in exile he could hope that the conspiracy against him was incomplete. The proclamation of the pardon was his death knell, and the same night, swiftly, "without word spoken or leave taken, he stole away from Stirling and fled to his father."

That at such a crisis he should have been attacked by a sudden and dangerous illness was, to say the least of it, a singular coincidence. A few miles from the castle blue spots broke out over his body, and he was carried into Glasgow languid and drooping, with a disease which the court and the friends of the court were pleased to call small-pox.

Darnley
flies from
Stirling and
is taken ill.

There for a time he lay, his father absent, himself hanging between life and death, attended only by a few faithful servants, while the Queen with recovered health and spirits spent her Christmas with Bothwell at Drummond Castle and Tullibardine, waiting the issue of the disease.

¹ Bedford to Cecil, December 30: *Scotch MSS. Rolls House.*

² Deposition of Thomas Crawford: *MS. Ibid.*

Unfortunately for all parties concerned, the King after a few days was reported to be slowly recovering. Either the natural disorder was too weak to kill him, or the poison had failed of its work. The Queen returned to Stirling: the favourite rode south to receive the exiles on their way back from England. "In the yard of the hostelry of Whittingham," Bothwell and Morton met; and Morton long after — on the eve of his own execution, when to speak the truth might do him service where he was going, and could do him no hurt in this world — thus described what passed between them: —

January.
Bothwell
proposes the
murder of
Darnley to
Morton.

"The Earl of Bothwell," said Morton, "proposed to me the purpose of the King's murder, seeing that it was the Queen's mind that he should be taken away, because she blamed the King of Davie's slaughter more than me."

Morton, "but newly come from one trouble, said that he was in no haste to enter into a new," and required to be assured that the Queen indeed desired it.

Bothwell said "he knew what was in the Queen's mind, and she would have it done."

"Bring me the Queen's hand for a warrant," Morton said that he replied, "and then I will answer you."¹

Rash and careless as Mary Stuart's passion made her, she was not so blind to prudence as to commit her signature as her husband had done. Bothwell promised that he would produce an order from her, but it never came, and Morton was saved from farther share in the conspiracy.

On the 14th of January the Queen brought the

¹ The Earl of Morton's confession: *Illustrations of Scottish History* p. 494.

Prince to Edinburgh ; on the 20th she wrote a letter to the Archbishop of Glasgow at Paris, complaining of her husband's behaviour to her, while the poor wretch was still lying on his sick-bed ;¹ and about the same time she was rejoined by Bothwell on his return from the Border. So far the story can be traced with confidence. At this point her conduct passes into the debatable land, where her friends meet those who condemn with charges of falsehood and forgery. The evidence is neither conflicting nor insufficient : the dying depositions of the instruments of the crime taken on the steps of the scaffold ; the "undesigned coincidences" between the stories of many separate witnesses, with letters which after the keenest inquiry were declared to be in her own handwriting, shed a light upon her proceedings as full as it is startling ; but the later sufferings of Mary Stuart have surrounded her name with an atmosphere of tenderness, and half the world has preferred to believe that she was the innocent victim of a hideous conspiracy.

The so-called certainties of history are but probabilities in varying degrees ; and when witnesses no longer survive to be cross-questioned, those readers and writers who judge of truth by their emotions can believe what they please. To assert that documents were forged, or that witnesses were tampered with, costs them no effort ; they are spared the trouble of reflection by the ready-made assurance of their feelings.

The historian who is without confidence in these easy criteria of certainty can but try his evidence by such means as remain. He examines what is doubtful by the light of what is established, and offers at last

¹ The Queen of Scots to the Archbishop of Glasgow, January 20: Keith.

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¹ The Queen of Scots to the Archbishop of Glasgow, January 20: Keith.

the conclusions at which his own mind has arrived, not as the demonstrated facts either of logic or passion, but as something which, after a survey of the whole case, appears to him to be nearest to the truth.¹

The Queen then, after writing the letter of complaint against her husband to the Archbishop of Glasgow, suddenly determined to visit his sick-bed. On Thursday the 23d of January she set out for Glasgow attended by her lover. They spent the night at Callendar together.² In the morning they parted; the Earl returned to Edinburgh; Mary Stuart pursued her journey attended by Bothwell's French servant Paris, through whom they had arranged to communicate.

The news that she was on her way to Glasgow anticipated her appearance there. Darnley was still con-

¹ The story in the text is taken from the depositions in Anderson and Pitcairn; from the deposition of Crawford, in the Rolls House; and from the celebrated casket letters of Mary Stuart to Bothwell. The authenticity of these letters will be discussed in a future volume in connexion with their discovery, and with the examination of them which then took place. Meantime I shall assume the genuineness of documents, which, without turning history into a mere creation of imaginative sympathies, I do not feel at liberty to doubt. They come to us after having passed the keenest scrutiny both in England and Scotland. The handwriting was found to resemble so exactly that of the Queen that the most accomplished expert could detect no difference. One of the letters could have been invented only by a genius equal to that of Shakspeare; and that one once accomplished, would have been so overpoweringly sufficient for its purpose that no forger would have multiplied the chances of detection by adding the rest. The inquiry at the time appears to me to supersede authoritatively all later conjectures. The English Council, among whom were many friends of Mary Stuart, had the French originals before them, while we have only translations, or translations of translations.

² "When Bothwell was conducting the Queen to Glasgow, where she was going to the King, at Callendar after supper, late, Lady Reres came to Bothwell's room, and seeing me there, said, 'What does M. Paris here?' 'It is all the same,' said he; 'Paris will say nothing.' And thereupon she took him to the Queen's room."—Examination of French Paris: *Anderson's Collection*. Paris was Bothwell's servant.

fined to his room ; but hearing of her approach he sent a gentleman who was in attendance on him, named Crawford, a noble, fearless kind of person, to apologize for his inability to meet her. It seems that after hearing of the bond at Craigmillar he had written some letter to her, the inconvenient truths of which had been irritating ; and she had used certain bitter expressions about him which had been carried to his ears. His heart half sunk in him when he was told that she was coming ; and Crawford, when he gave his message, did not hide from her that his master was afraid of her.

"There is no remedy against fear," the Queen said shortly.

"Madam," Crawford answered, "I know so far of my master that he desires nothing more than that the secrets of every creature's heart were writ in their faces."¹

Crawford's suspicions were too evident to be concealed. The Queen did not like them ; she asked sharply if he had more to say ; and when he said he had discharged his commission, she bade him "hold his peace."

Lord Darnley had made some use of his illness ; as he lay between life and death he had come to understand that he had been a fool, and for the first time in his life had been thinking seriously. When the Queen entered his room she found him lying on his couch, weak and unable to move. Her first question was about his letter ; it was not her cue to irritate him, and she seemed to expostulate on the credulity with which he had listened to calumnies against her. He excused himself faintly. She allowed

The Queen
at her
husband's
bed-side.

¹ Crawford's deposition: *MS. Rolls House.*

her manner to relax, and she inquired about the cause of his illness.

A soft word unlocked at once the sluices of Darnley's heart; his passion gushed out uncontrolled, and with a wild appeal he threw himself on his wife's forgiveness.

"You are the cause of it," he said; "it comes only from you who will not pardon my faults when I am sorry for them. I have done wrong, I confess it; but others besides me have done wrong, and you have forgiven them, and I am but young. You have forgiven me often, you may say; but may not a man of my age, for want of counsel, of which I am very destitute, fall twice or thrice, and yet repent and learn from experience? Whatever I have done wrong, forgive me; I will do so no more. Take me back to you; let me be your husband again or may I never rise from this bed. Say that it shall be so," he went on with wild eagerness; "God knows I am punished for making my God of you — for having no thought but of you."¹

He was flinging himself into her arms as readily as she could hope or desire; but she was afraid of exciting his suspicions by being too complaisant. She answered kindly that she was sorry to see him so unwell; and she asked him again why he had thought of leaving the country.

He said that "he had never really meant to leave it; yet had it been so there was reason enough; she knew how he had been used."

She went back to the bond of Craigmillar. It was necessary for her to learn who had betrayed the secret and how much of it was known.

¹ Crawford's deposition. The conversation, as related by Darnley to Crawford, tallies exactly with that given by Mary herself to Bothwell in the casket letters.

Weak and facile as usual, Darnley gave up the name of his informant; it was the Laird of Minto; and then he said that "he could not believe that she who was his own proper flesh would do him harm;" "if any other would do it," he added with something of his old bravado, "they should buy him dear, unless they took him sleeping."

Her part was difficult to act. As she seemed so kind, he begged that she would give him his food; he even wished to kiss her, and his breath after his illness was not pleasant. "It almost killed me," she wrote to Bothwell, "though I sate as far from him as the bed would allow: he is more gay than ever you saw him; in fact, he makes love to me, of the which I take so great pleasure that I enter never where he is but incontinent I take the sickness of my sore side which I am so troubled with."¹

When she attempted to leave the room he implored her to stay with him. He had been told, he said, that she had brought a litter with her; did she mean to take him away?

She said she thought the air of Craigmillar would do him good; and as he could not sit on horseback, she had contrived a means by which he could be carried.

The name of Craigmillar had an ominous sound. The words were kind, but there was perhaps some odd glitter of the eyes not wholly satisfactory.

He answered that if she would promise him on her honour to live with him as his wife, and not to leave him any more, he would go with her to the world's end, and care for nothing; if not, he would stay where he was.

¹ Mary Stuart to Bothwell: *Anderson's Collection*.

It was for that purpose, she said, tenderly, that she had come to Glasgow ; the separation had injured both of them, and it was time that it should end ; “ and so she granted his desire, and promised it should be as he had spoken, and thereupon gave him her hand and faith of her body that she would love him and use him as her husband ; ” she would wait only till his health was restored ; he should use cold baths at Craigmillar, and then all should be well.

Again she returned to his letter ; she was still uneasy about his knowledge of the bond, and she asked whether he had any particular fear of either of the noblemen. He had injured Maitland most, and he shivered when she named him. He felt but too surely with what indifference Maitland would set his heel on such a worm as he was.

She spoke of Lady Reres, Bothwell’s evil friend. Darnley knew what that woman had been, and suspected what she might be. He said he liked her not, and wished to God she might serve the Queen to her honour ; but he would believe her promise, he would do all that she would have him do, and would love all that she loved.

She had gained her point ; he would go with her, and that was all she wanted. A slight cloud rose between them before she left the room. He was impatient at her going, and complained that she would not stay with him : she on her part said that he must keep her promise secret ; the Lords would be suspicious of their agreement, and must not know of it.

He did not like the mention of the Lords ; the Lords, he said, had no right to interfere ; he would never excite the Lords against her, and she, he trusted, would not again make a party against him.

She said that their past disagreements had been no fault of hers. He, and he alone, was to blame for all that had gone wrong.

With these words she left him. Mary Stuart was an admirable actress ; rarely, perhaps, on the world's stage has there been a more skilful player. But the game was a difficult one ; she had still some natural compunction, and the performance was not quite perfect.

Darnley, perplexed between hope and fear, affection and misgiving, sent for Crawford. He related the conversation which had passed, so far as he could recollect it, word for word, and asked him what he thought.

Darnley
relates to
Crawford
his conver-
sation with
the Queen.

Crawford, unblinded by passion, answered at once "that he liked it not ;" if the Queen wished to have him living with her, why did she not take him to Holyrood ? Craigmillar — a remote and lonely country house — was no proper place for him ; if he went with her, he would go rather as her prisoner than her husband.

Darnley answered that he thought little less himself ; he had but her promise to trust to, and he feared what she might mean ; he had resolved to go, however ; "he would trust himself in her hands though she should cut his throat."¹

And Mary, what was her occupation after parting thus from her husband ? Late into the night she sat writing an account of that day's business to her lover, "with whom," as she said, "she had left her heart." She told him of her meeting with Crawford, and of her coming to the King ; she related, with but slight verbal variations, Darnley's passionate

The Queen
in her
cabinet.

¹ Crawford's deposition: *Scotch MSS. Rolls House.*

appeal to her, as Darnley himself had told it to his friend.

“I pretend,” she wrote, “that I believe what he says ; you never saw him better, or heard him speak more humbly. If I did not know his heart was wax, and mine a diamond, whereinto no shot can enter but that which comes from your hand, I could almost have had pity on him ; but fear not, the plan shall hold to the death.”

If Mary Stuart was troubled with a husband, Bothwell was inconvenienced equally with a wife.

“Remember in return,” she continued, “that you suffer not yourself to be won by that false mistress of yours, who will travail no less with you for the same ; I believe they learnt their lesson together. He has ever a tear in his eye. He desires I should feed him with my own hands. I am doing what I hate. Would you not laugh to see me lie so well, and dissemble so well, and tell truth betwixt my hands. We are coupled with two bad companions. The devil sunder us, and God knit us together to be the most faithful couple that ever he united. This is my faith — I will die in it. I am writing to you while the rest are sleeping, since I cannot sleep as they do, and as I would desire — that is in your arms, my dear love ; whom I pray God preserve from all evil and send you repose.”

Without much moral scrupulousness about her, Mary Stuart had still feelings which answer to a loose man’s “sense of honour.”

"I must go forward," she said, "with my odious purpose. You make me dissemble so far that I abhor it, and you cause me to do the office of a traitress. If it were not to obey you, I had rather die than do it; my heart bleeds at it. He will not come with me except I promise him that I shall be with him as before, and doing this he will do all I please and come with me. To make him trust me, I had to fence in some things with him; so when he asked that when he was well we should have both but one bed, I said that if he changed not purpose between now and then, it should be so; but in the mean time I bade him take care that he let nobody know of it, because the Lords would fear, if we agreed together, he would make them feel the small account they made of him. In fine, he will go anywhere that I ask him. Alas! I never deceived anybody; but I remit me altogether to your pleasure. Send me word what to do, and I will do it. Consider whether you can contrive anything more secret by medicine. He is to take medicine and baths at Craig-millar. He suspects greatly, and yet he trusts me. I am sorry to hurt any one that depends on me; yet you may command me in all things. About Lady Reres he said, I pray God she may serve you to your honour. He suspects the thing you know, and of his life; but as to the last, when I speak two or three kind words, he is happy and out of doubt. Burn this letter, for it is dangerous and nothing well said in it."

Then following the ebb and flow of her emotions to that strange point where the criminal passion of a woman becomes almost virtue in its utter self-abandonment, she appealed to Bothwell not to despise her for the treachery to which for his sake she was condescending.

"Have no evil opinion of me for this," she concluded; "you yourself are the cause of it; for my own private revenge I would not do it to him. Seeing, then, that to obey you, my dear love, I spare neither honour, conscience, hazard, nor greatness, take it, I pray you, in good part. Look not at that woman whose false tears should not be so much regarded as the true and faithful labour which I am bearing to deserve her place; to obtain which — against my nature — I betray those that may hinder me. God forgive me, and God give you, my only love, the happiness and prosperity which your humble and faithful friend desires for you. She hopes soon to be another thing to you. It is late. I could write to you forever; yet now I will kiss your hand and end."¹

With these thoughts in her mind, Mary Stuart, Queen of Scotland, lay down upon her bed — to sleep, doubtless — sleep with the soft tranquillity of an innocent child. Remorse may disturb the slumbers of the man who is dabbling with his first experiences of wrong. When the pleasure has been tasted and is gone, and nothing is left of the crime but the ruin which it has wrought, then, too, the Furies take their seats upon the midnight pillow. But the meridian of evil is for the most part left unvexed; and when a man has chosen his road he is let alone to follow it to the end.

The next morning the Queen added a few closing words:

"If in the mean time I hear nothing to the contrary, according to my commission I will bring the man to Craigmillar on Monday — where he will be all Wednesday."

¹ Mary Stuart to Bothwell: *Anderson's Collection*.

day — and I will go to Edinburgh to draw blood of me. Provide for all things and discourse upon it first with yourself.”

This letter, and another to Maitland, she gave in charge to Paris to take to Edinburgh. In delivering them she bade him tell Bothwell that she had prevented the King from kissing her, as Lady Reres could witness; and she told him to ask Maitland whether Craigmillar was to be the place, or whether they had changed their plan. They would give him answers with which he would come back to her immediately. She would herself wait at Glasgow with the King till his return.

Paris, after being a day upon the road, reached Edinburgh with his despatches on the night of Saturday the 25th. On going to Bothwell's room the next morning he found the Earl absent, and a servant directed him to a house belonging to Sir Robert Balfour, brother of James Balfour who signed the Craigmillar bond.

St. Mary's-in-the-Fields, called commonly Kirk-a-Field, was a roofless and ruined church, standing just inside the old town walls of Edinburgh, at the north-western corner of the present College. Adjoining it there stood a quadrangular building which had at one time belonged to the Dominican monks. The north front was built along the edge of the slope which descends to the Cowgate; the south side contained a low range of unoccupied rooms which had been “priests' chambers;” the east consisted of offices and servants' rooms; the principal apartments in the dwelling, into which the place had been converted, were in the western wing, which completed the square. Under the windows there was a narrow strip of grass-plot dividing the house from the town wall,

Paris goes to
Bothwell for
instructions.

Plan of the
house at
Kirk-a-Field

and outside the wall were gardens into which there was an opening through the cellars by an underground passage. The principal gateway faced north and led direct into the quadrangle.

Here it was that Paris found Bothwell with Sir James Balfour. He delivered his letter and gave his message. The Earl wrote a few words in Bothwell's message. reply. "Commend me to the Queen," he said as he gave the note, "and tell her that all will go well. Say that Balfour and I have not slept all night, that everything is arranged, and that the King's lodgings are ready for him. I have sent her a diamond. You may say I would send my heart too were it in my power — but she has it already."

A few more words passed, and from Bothwell Paris went to Maitland, who also wrote a brief answer. To the verbal question he answered, "Tell her Majesty to take the King to Kirk-a-Field;" and with these replies the messenger rode back through the night to his mistress.

She was not up when he arrived; her impatience could not rest till she was dressed, and she received him in bed. He gave his letters and his messages. She asked if there was anything further. He answered that Bothwell bade him say "he would have no rest till he had accomplished the enterprise, and that for love of her he would train a pike all his life." The Queen laughed. "Please God," she said, "it shall not come to that."¹

A few hours later she was on the road with her victim. He could be moved but slowly. Darnley is removed to Kirk-a-Field. She was obliged to rest with him two days at Linlithgow; and it was not till the 30th that she was

¹ Examination of Paris: Pitcairn's *Criminal Trials*, Vol. I.

able to bring him to Edinburgh. As yet he knew nothing of the change of his destination, and supposed that he was going on to Craigmillar. Bothwell, however, met the cavalcade outside the gates and took charge of it. No attention was paid either to the exclamations of the attendants or the remonstrances of Darnley himself; he was informed that the Kirk-a-Field house was most convenient for him, and to Kirk-a-Field he was conducted.

“The lodgings” prepared for him were in the west wing, which was divided from the rest of the house by a large door at the foot of the staircase. A passage ran along the ground floor from which a room opened which had been fitted up for the Queen. At the head of the stairs a similar passage led first to the King’s room — which was immediately over that of the Queen — and further on to closets and rooms for the servants.

Here it was that Darnley was established during the last hours which he was to know on earth. The keys of the doors were given ostentatiously to his groom of the chamber, Thomas Nelson; the Earl of Bothwell being already in possession of duplicates. The door from the cellar into the garden had no lock, but the servants were told that it could be secured with bolts from within. The rooms themselves had been comfortably furnished, and a handsome bed had been set up for the King with new hangings of black velvet. The Queen, however, seemed to think that they would be injured by the splashing from Darnley’s bath, and desired that they might be taken down and changed. Being a person of ready expedients, too, she suggested that the door at the bottom of the staircase was not required for protection. She had it taken down and

turned into a cover for the bath-vat; "so that there was nothing left to stop the passage into the said chamber but only the portal door."¹

After this little attention she left her husband in possession; she intended herself to sleep from time to time there, but her own room was not yet ready.

The further plan was still unsettled. Bothwell's first notion was to tempt Darnley out into the country some sunny day for exercise, and then to kill him. But "this purpose was changed because it would be known;"² and was perhaps abandoned with the alteration of the place from Craigmillar.

The Queen meanwhile spent her days at her husband's side, watching over his convalescence with seemingly anxious affection, and returning only to sleep at Holyrood. In the starry evenings, though it was mid-winter, she would go out into the garden with Lady Reres, and "there sing and use pastime."³ After a few days her apartment at Kirk-a-Field was made habitable; a bed was set up there in which she could sleep, and particular directions were given as to the part of the room where it was to stand. Paris through some mistake misplaced it. "Fool that you are," the Queen said to him when she saw it, "the bed is not to stand there; move it yonder to the other side."⁴ She perhaps meant nothing, but the words afterwards seemed ominously significant. A powder-barrel was to be lighted in that room to blow the house and every one in it into the air. They had placed the bed on the spot where the powder was to stand, immediately below the bed of the King.

¹ Examination of Thomas Nelson: Pitcairn.

² Hepburn's confession: Anderson.

³ Depositions of Thomas Nelson: Pitcairn.

⁴ "Sot que tu es, je ne veulx pas que mon lit soyt en cest endroyt la, et du fait le feist oster."—Examination of Paris: *Ibid.*

Whatever she meant, she contrived when it was moved to pass two nights there. The object was, to make it appear as if in what was February. to follow her own life had been aimed at as well as her husband's. Wednesday the 5th she slept there, and Friday the 7th, and then her penance was almost over, for on Saturday the thing was to have been done.

Among the wild youths who followed Bothwell's fortunes, three were found who consented to be the instruments — young Hay, the Laird of Tallo, Hepburn of Bolton, and the Laird of Ormeston — gentlemen retainers of Bothwell's house, and ready for any desperate adventure.¹ Delay only created a risk of discovery, and the Earl on Friday arranged his plans for the night ensuing.²

It seems, however, that at the last moment there was an impression either that the powder might fail or that Darnley could be more conveniently killed in a scuffle with an appearance of accident. Lord Robert Stuart, Abbot of St. Cross, one of James the Fifth's wild brood of children whom the Church had provided with land and title, had shared in past times in the King's riots, and retaining some regard for him had warned the poor creature to be on his guard. Darnley, making love to destruction, told the Queen; and Stuart, knowing that his own life might pay the forfeit of his

¹ Hepburn on his trial said that when Bothwell first proposed the murder to him, "he answered it was an evil purpose, but because he was servant to his Lordship he would do as the rest." So also said Hay and Ormeston. Paris, according to his own story, was alike afraid to refuse and to consent. Bothwell told him the Lords were all agreed. He asked what Murray said. "Murray, Murray!" said the Earl, "il ne se veult n'ayder ni nuyre, mais r'est tout ung." "Monsieur," Paris replied, "il est sage." — Examination of Paris: Pitcairn.

² Examination of Hay of Tallo: Anderson.

interference, either received a hint that he might buy his pardon by doing the work himself, or else denied his words and offered to make the King maintain them at the sword's point. A duel, could it be managed, would remove all difficulty; and Bothwell would take care how it should end.

Something of this kind was in contemplation on the Saturday night, and the explosion was deferred in consequence. The Queen that evening at Holyrood bade Paris tell Bothwell "that the Abbot of St. Cross should go to the King's room and do what the Earl knew of." Paris carried the message, and Bothwell answered, "Tell the Queen that I will speak to St. Cross and then I will see her."¹

But this too came to nothing. Lord Robert went, and angry words according to some accounts were exchanged between him and Darnley; but a sick man unable to leave his couch was in no condition to cross swords; and for one more night he was permitted to survive.

So at last came Sunday, eleven months exactly from the day of Ritzio's murder; and Mary Stuart's words that she would never rest till that dark business was revenged were about to be fulfilled. The Earl of Murray, knowing perhaps what was coming, yet unable to interfere, had been long waiting for an opportunity to leave Edinburgh. Early that morning he wrote to his sister to say that Lady Murray was ill at St. Andrew's, and that she wished him to join her; the Queen with some reluctance gave him leave to go.

It was a high day at the Court; Sebastian, one of the musicians, was married in the afternoon to Margaret Cawood, Mary Stuart's favourite waiting-woman.

¹ Examination of Paris: Anderson.

When the service was over, the Queen took an early supper with Lady Argyle, and afterwards accompanied by Cassilis, Huntly, and the Earl of Argyle himself, she went as usual to spend the evening with her husband, and professed to intend to stay the night with him. The hours passed on.

February 9.
Mary Stuart
in Darnley's
room.

She was more than commonly tender; and Darnley, absorbed in her caresses, paid no attention to sounds in the room below him, which had he heard them might have disturbed his enjoyment.

At ten o'clock that night two servants of Bothwell, Powrie and Patrick Wilson, came by order to the Earl's apartments in Holyrood. Hepburn, who was waiting there, pointed to a heap of leather bags and trunks upon the floor, which he bade them carry to the gate of the gardens at the back of Kirk-a-Field. They threw the load on a pair of pack-horses, and led the way in the dark as they were told; Hepburn himself went with them, and at the gate they found Bothwell, with Hay, Ormeston, and another person, muffled in their cloaks. The horses were left standing in the lane. The six men silently took the bags on their shoulders and carried them to the postern door which led through the town wall. Bothwell then went in to join the Queen, and told the rest to make haste with their work and finish it before the Queen should go. Powrie and Wilson were dismissed; Hepburn and the three others dragged the bags through the cellar into Mary Stuart's room. They had intended to put the powder into a cask, but the door was too narrow, so they carried it as it was and poured it out in a heap upon the floor.

The powder
is brought
in.

They blundered in the darkness. Bothwell, who was listening in the room above, heard them stumbling

at their work, and stole down to warn them to be silent; but by that time all was in its place. The dark mass in which the fire spirit lay imprisoned rose dimly from the ground; the match was in its place, and the Earl glided back to the Queen's side.

It was now past midnight. Hay and Hepburn were to remain with the powder alone. "You know what you have to do," Ormeston whispered; "when all is quiet above, you fire the end of the lint and come away."

With these words Ormeston passed stealthily into the garden. Paris, who had been assisting in the arrangement, went up stairs to the King's room, and his appearance was the signal concerted beforehand for the party to break up. Bothwell whispered a few words in Argyle's ear; Argyle touched Paris on the back significantly; there was a pause—the length of a Paternoster¹—when the Queen suddenly recollected that there was a masque and a dance at the Palace on the occasion of the marriage, and that she had promised to be present. She rose, and with many

The Queen returns to Holyrood. regrets that she could not stay as she intended, kissed her husband, put a ring on his finger, wished him good-night, and went. The Lords followed her. As she left the room, she said, as if by accident, "It was just this time last year that Ritzio was slain."²

In a few moments the gay train was gone. The Queen walked back to the glittering halls in Holyrood; Darnley was left alone with his page,* Taylor, who slept in his room, and his two servants, Nelson and Edward Seymour. Below in the darkness, Bothwell's

¹ Examination of Paris: Pitcairn.

² Calderwood.

two followers shivered beside the powder heap, and listened with hushed breath till all was still.

The King, though it was late, was in no mood for sleep, and Mary's last words sounded awfully in his ears. "She was very kind," he said to Nelson, "but why did she speak of Davie's slaughter?"

Just then Paris came back to fetch a fur wrapper which the Queen had left, and which she thought too pretty to be spoiled. "What will she do?" Darnley said again when he was gone; "it is very lonely." The shadow of death was creeping over him; he was no longer the random boy who two years before had come to Scotland filled with idle dreams of vain ambition. Sorrow, suffering, disease, and fear, had done their work. He was said to have opened the Prayer-book, and to have read over the 55th Psalm, which, by a strange coincidence, was in the English service for the day that was dawning.

If his servant's tale was true, these are the last words which passed the lips of Mary Stuart's husband:

"Hear my prayer, O Lord, and hide not thyself from my petition.

"My heart is disquieted within me, and the fear of death is fallen upon me.

"Fearfulness and trembling are come upon me, and an horrible dread hath overwhelmed me.

"It is not an open enemy that hath done me this dishonour, for then I could have borne it.

"It was even thou my companion, my guide, and my own familiar friend."

Forlorn victim of a cruel time! Twenty-one years old — no more. At the end of an hour he went to bed, with his page at his side. An hour later they two were lying dead in the garden under the stars.

The exact facts of the murder were never known — only at two o'clock that Monday morning, a "crack" was heard which made the drowsy citizens of Edinburgh turn in their sleep, and brought down all that side of Balfour's house of Kirk-a-Field in a confused heap of dust and ruin. Nelson, the sole survivor, went to bed and slept when he left his master, and "knew nothing till he found the house falling about him;" Edward Seymour was blown in pieces; but Darnley and his page were found forty yards away, beyond the town wall, under a tree, with "no sign of fire on them," and with their clothes scattered at their side.

Some said that they were smothered in their sleep; some, that they were taken down into a stable and "wirried;" some, that, "hearing the keys grate in the doors below them, they started from their beds, and were flying down the stairs, when they were caught and strangled." Hay and Hepburn told one consistent story to the foot of the scaffold: — When the voices were silent overhead, they lit the match and fled, locking the doors behind them. In the garden they found Bothwell watching with his friends, and they waited there till the house blew up, when they made off and saw no more. It was thought, however, that in dread of torture they left the whole dark truth untold; and over the events of that night a horrible mist still hangs, unpenetrated and unpenetrable forever.

This only was certain, that with her husband Mary Stuart's chances of the English throne perished also, and with them all serious prospect of a Catholic revolution. With a deadly instinct the world divined the author of the murder; and more than one nobleman,

on the night on which the news reached London, hastened to transfer his allegiance to Lady Catherine Grey.¹

The faithful Melville hurried up to defend his mistress — but to the anxious questions of De Silva, though he called her innocent, he gave confused answers.² “Lady Lennox demands vengeance upon the Queen of Scots,” De Silva said; “nor is Lady Lennox alone in the belief of her guilt; they say it is revenge for the Italian secretary. The heretics denounce her with one voice; the Catholics are divided; her own friends acquit her; the connexions of the King cry out upon her without exception.”³

On the 1st of March, Moret, the Duke of Savoy's ambassador at the Scotch court, passed through London on his way to the Continent. He had been in Edinburgh at the time of the murder; and De Silva turned to him for comfort. But Moret had no comfort to give. “I pressed him,” said De Silva, “to tell me whether he thought the Queen was innocent; he did not condemn her in words, but he said nothing in her favour;”⁴ “the spirits of the Catholics are broken;”⁵ should it turn out that she is guilty, her party in England is gone, and by her means there is no more chance of a restoration of religion.”⁶

¹ De Silva to Philip, February 17: *MS. Simancas*.

² “Aunque esto salvó á la Reyna, veo le algo confuso.” — Same to same, February 22: *MS. Ibid.*

³ *Ibid.*

⁴ “Apretandole que me dixese lo que le parecia conforme á lo que el habia visto y colegido si la Reyna tenia culpa dello, aunque no la le condesño de palabra, no le salvó nada.” — De Silva to Philip, March 1: *MS. Ibid.*

⁵ “Mucho ha este caso enflaquecido los animos de los Catolicos.” — *Ibid.*

⁶ *Ibid.*

CHAPTER XI.

THE Earl of Sussex, having failed alike to beat Shan O'Neil in the field or to get him satisfactorily murdered, had at last been recalled, leaving the government of Ireland in the hands of Sir Nicholas Arnold. An unsuccessful public servant never failed to find a friend in Elizabeth, whose disposition to quarrel with her ministers was usually in proportion to their ability. She had shared the confidence of the late Deputy in what to modern eyes appears unpardonable treachery ; she received him on his return to England with undiminished confidence, and she allowed him to confirm her in her resolution to spend no more money in the hopeless enterprise of bringing the Irish into order ; while she left Arnold to set the bears and bandogs to tear each other, and watched contentedly the struggle in Ulster between O'Neil and the Scots of the Isles.

The breathing-time would have been used to better advantage had the reform been carried to completeness which had been commenced with the mutinous miscreants miscalled the English army. But the bands could not be discharged with decency till they had received their wages ; without money they could only continue to maintain themselves on the plunder of the farmers of the Pale ; and the Queen, provoked with the past expenses to which she had so reluctantly assented, knotted her purse-strings, and seemed determined that Ireland should in future bear the cost of its

own government. The worst peculations of the principal officers were inquired into and punished: Sir Henry Ratcliff, Sussex's brother, was deprived of his command, and sent to the castle; but Arnold's vigour was limited by his powers. The paymasters continued to cheat the Government in the returns of the number of their troops; the Government defended themselves by letting the pay run into arrear; the soldiers revenged their ill-usage on the people; and so it came to pass that in O'Neil's country alone in Ireland — defended as it was from attacks from without, and enriched with the plunder of the Pale — were the peasantry prosperous, or life or property secure.

Munster was distracted by the feuds between Ormond and Desmond; while the deep bays and creeks of Cork and Kerry were the nests and hiding-places of English pirates, whose numbers had just received a distinguished addition in the person of Sir Thomas Stukely, with a barque of four hundred tons and "a hundred tall soldiers, besides mariners."

Stukely had been on his way to Florida with a license from the Crown to make discoveries and to settle there; but he had found a convenient halting-place in an Irish harbour, from which he could issue out and plunder the Spanish galleons.¹ He had taken up his quarters at Kinsale, "to make the sea his Florida;"² and in anticipation of the terms on which he was likely to find himself with Elizabeth, he contrived to renew an acquaintance which he had com-

Sir T.
Stukely in
Ireland.

¹ "Stukely's piracies are much railed at here in all parts. I hang down my head with shame. Alas! though it cost the Queen roundly, let him for honour's sake be fetched in. These pardons to such as be *hostes humani generis* I like not." — Chaloner to Cecil, Madrid, December 14, 1564: *Spanish MSS. Rolls House*.

² Sir Thomas Wroth to Cecil, November 17: *Irish MSS. Ibid.*

menced in England with Shan O'Neil. The friendship of a buccaneer who was growing rich on Spanish plunder might have seemed inconvenient to a chief who had offered Ireland as a fief to Philip; but Shan was not particular: Philip had as yet shown but a cold interest in Irish rebellion, and Stukely filled his cellars with sherry from Cadiz, amused him with his magniloquence, and was useful to him by his real dexterity and courage. So fond Shan became of him that he had the impertinence to write to Elizabeth in favour "of that his so dearly loved friend and her Majesty's worthy subject," with whom he was grieved to hear that her Majesty was displeased. He could not but believe that she had been misinformed; but if indeed so good and gallant a gentleman had given her cause of offence, Shan entreated that her Majesty, for his sake and in the name of the services which he had himself rendered to England, would graciously pardon him; and he, with Stukely for a friend and confidant, would make Ireland such as Ireland never was since the world began.¹

Among so many mischiefs "religion" was naturally in a bad way. "The lords and gentlemen of the Pale went habitually to mass."² The Protestant bishops were chiefly agitated by the vestment controversy. Adam Loftus, the titular Primate, to whom sacked villages, ravished women, and famine-stricken skeletons crawling about the fields were matters of every-day indifference, shook with terror at the mention of a surplice.³ Robert Daly wrote in anguish to Cecil, in dismay at the countenance to "Papistry,"

¹ Shan O'Neil to Elizabeth, June 18, 1565: *Irish MSS. Rolls House*.

² Adam Loftus to Elizabeth, May 17: *MS. Ibid.*

³ Adam Loftus to Cecil, July 16: *MS. Ibid.*

and at his own inability to prolong a persecution which he had happily commenced.¹

Some kind of shame was felt by statesmen in England at the condition in which Ireland continued. Unable to do anything real towards amending it, they sketched out among them about this time a scheme for a more effective government. The idea of the division of the country into separate presidencies lay at the bottom of whatever hopes they felt for an improved order of things. So long as the authority of the sovereign was represented only by a Deputy residing at Dublin, with a few hundred ragged marauders called by courtesy "the army," the Irish chiefs would continue, like O'Neil, to be virtually independent; while by recognizing the reality of a power which could not be taken from them, the English Government could deprive them of their principal motive for repudiating their allegiance.

The aim of the Tudor sovereigns had been from the first to introduce into Ireland the feudal
administration of the English counties; they Irish policy of the Tudor sovereigns.

¹ "The bruit of the alteration in religion is so talked of here among the Papists, and they so triumph upon the same, it would grieve any good Christian heart to hear of their rejoicing; yea, in so much that my Lord Primate, my Lord of Meath, and I, being the Queen's commissioners in ecclesiastical causes, dare not be so bold now in executing our commissions in ecclesiastical causes as we have been to this time. To what end this talk will grow I am not able to say. I fear it will grow to the great contempt of the Gospel and of the ministers of the same, except that spark be extinguished before it grow to flame. The occasion is that certain learned men of our religion are put from their livings in England; upon what occasion is not known here as yet. The poor Protestants, amazed at the talk, do often resort to me to learn what the matter means; whom I comfort with the most faithful texts of Scripture that I can find. . . . But I beseech you send me some comfortable words concerning the stablishing of our religion, wherewith I may both confirm the wavering hearts of the doubtful, and suppress the stout brags of the sturdy and proud Papists." — Robert Daly to Cecil, July 2: *Irish MSS. Rolls House.*

had laboured to persuade the chiefs to hold their lands under the Crown, with the obligations which landed tenures in England were supposed always to carry with them. The large owner of the soil, to the extent that his lordship extended, was in the English theory the ruler of its inhabitants, magistrate from the nature of his position, and representative of the majesty of the Crown. Again and again they had endeavoured to convince the Irish that order was better than anarchy ; that their faction fights, their murders, their petty wars and robberies, were a scandal to them ; that till they could amend their ways they were no better than savages. Fair measures and foul had alike failed so far. Once more a project was imagined of some possible reformation, which might succeed at least on paper.

In the system which was at last to bring a golden age to Ireland, the four provinces were to be governed each by a separate president and council. Every county was to have its sheriff ; and the Irish noblemen and gentlemen were to become the guardians of the law which they had so long defied. The poor should no longer be oppressed by the great ; and the wrongs which they had groaned under so long should be put an end to forever by their own Parliament. " No poor persons should be compelled any more to work or labour by the day or otherwise without meat, drink, wages, or some other allowance during the time of their labour ; " no " earth-tillers, nor any others inhabiting a dwelling under any lord, should be distrained or punished in body or goods for the faults of their landlord ; " nor any honest man lose life or lands without fair trial, by Parliamentary attainder, " according to the antient laws of England and Ireland. " Noble provisions were

pictured out for the rebuilding of the ruined churches at the Queen's expense, with "twelve free grammar schools," where the Irish youth should grow into civility, and "twelve hospitals for aged and impotent folk." A University should be founded in Elizabeth's name, and endowed with lands at Elizabeth's cost; and the devisers of all these things, warming with their project, conceived the Irish nation accepting willingly a reformed religion, in which there should be no more pluralities, no more abuse of patronage, no more neglect, or idleness, or profligacy. The bishops of the Church of Ireland were to be chosen among those who had risen from the Irish schools through the Irish University. The masters of the grammar schools should teach the boys "the New Testament, Paul's Epistles, and David's Psalms, in Latin, that they being infants might savour of the same in age, as an old cask doth of its first liquor." In every parish from Cape Clear to the Giant's Causeway, there should be a true servant of God for a pastor, who would bring up the children born in the same in the knowledge of the Creeds, the Lord's Prayer, the Ten Commandments, and the Catechism; "the children to be brought to the Bishop for confirmation at seven years of age, if they could repeat them, or else to be rejected by the Bishop for the time with reproach to their parents."¹

Here was an ideal Ireland, painted on the retina of some worthy English minister; but the real Ireland was still the old place: as it was in the days of Brian Boroihmie and the Danes, so it was in the days of Shan O'Neil and Sir Nicholas Arnold; and the Queen, who was to found all these fine institutions, cared chiefly to

¹ Device for the better government of Ireland: *Irish MSS. Rolls House.*

burden her exchequer no further in the vain effort to drain the black Irish morass — fed as it was from the perennial fountains of Irish nature.

The Pope might have been better contented with the condition of his children : yet he too had his grounds of disquiet, and was not wholly satisfied with Shan, or with Shan's rough-riding primate. A nuncio had resided secretly for four years at Limerick, who from time to time sent information of the state of the people to Rome ; and at last an aged priest named Creagh, who in past days had known Charles the Fifth, and had been employed by him in relieving English Catholic exiles, went over with letters from the nuncio recommending the Pope to refuse to recognize the appointment of Terence Daniel to the Primacy, and to substitute Creagh in his place. The old man, according to his own story, was unambitious of dignity, and would have preferred "to enter religion" and end his days in a monastery. The Pope, however, decided otherwise. Creagh was consecrated Archbishop of Armagh in the Sistine Chapel, and was sent back "to serve among those barbarous, wild, uncivil folk," taking with him a letter from Pius to Shan O'Neil, "whom he did not know whether to repute for his foe or his friend."

Thus Ireland had three competing Primates : Adam
Three
Primates in
Ireland. Loftus, the nominee of Elizabeth ; Shan's
Archbishop, Terence Daniel ; and Creagh,
sent by the Pope. The latter, however, had the misfortune to pass through London on his way home, where Cecil heard of him. He was seized and sent to the Tower, where "he lay in great misery, cold, and hunger," "without a penny," "without the means of getting his single shirt washed, and without gown or hose."

The poor old man petitioned "to be let go to teach youth." "He would do it for nothing," he said, "as he had done all the days of his life, never asking a penny of the Church or any benefice of any man;"¹ and so modest a wish might have been granted with no great difficulty, considering that half the preferments in England were held by men who scarcely affected to conceal that they were still Catholics. Either Creagh, however, was less simple than he pretended, or Cecil had reason to believe that his presence in Ireland would lead to mischief; he was kept fast in his cage, and would have remained there till he died, had he not contrived one night to glide over the walls into the Thames.

His imprisonment was perhaps intended as a gratification to Shan O'Neil. No sooner had he escaped than Elizabeth considered that of the two Catholic Archbishops Terence Daniel might be the least dangerous, and that to set Shan against the Pope might be worth a sacrifice of dignity. It was intimated that if Shan would be a good subject, he should have his own Primate, and Adam Loftus should be removed to Dublin.² Shan, on his part, gave the Queen to understand that when Terence was installed at Armagh, and he himself was created Earl of Tyrone, she should have no more trouble; and the events of the spring of 1565 made the English Government more than ever anxious to come to terms with a chieftain whom they were powerless to crush.

Since the defeat of the Earl of Sussex, Shan's influence and strength had been steadily growing. His re-

¹ Questions for Creagh, with Creagh's answers, February 22, 1565; Further answers of Creagh, March 17: *Irish MSS. Rolls House*.

² Private instructions to Sir Henry Sidney. Cecil's hand, 1565 *MS* *Ibid*.

turn unscathed from London, and the fierce attitude which he assumed on the instant of his reappearance in Ulster, convinced the petty leaders that to resist him longer would only ensure their ruin. O'Donnell was an exile in England, and there remained unsubdued in the north only the Scottish colonies of Antrim, which were soon to follow with the rest. O'Neil lay quiet through the winter. With the spring

Shan O'Neil
defeats the
Scots. and the fine weather, when the rivers fell and the ground dried, he roused himself out of his lair, and with his galloglasse and kern, and a few hundred "harquebussmen," he dashed suddenly down upon the "Redshanks," and broke them utterly to pieces. Six or seven hundred were killed in the field; James M'Connell and his brother Sorleboy¹ were taken prisoners; and for the moment the whole colony was swept away. James M'Connell himself, badly wounded in the action, died a few months later, and Shan was left undisputed sovereign of Ulster.

The facile pen of Terence Daniel was employed to communicate to the Queen this "glorious victory," for which "Shan thanked God first, and next the Queen's Majesty; affirming the same to come of her good fortune."² The English Government, weary of the ill success which had attended their own dealings with the Scots, were disposed to regard them as a "malicious and dangerous people, who were gradually fastening on the country;"³ and with some misgivings, they were inclined to accept Shan's account of himself; while Shan, finding Elizabeth disinclined to quarrel with him, sent Terence over to her to explain more

¹ Spelt variously Sorleboy, Sarlebos, Surlebois, and Surlyboy.

² Terence Daniel to Cecil, June 24: *Irish MSS. Rolls House*.

³ Opinion of Sir H. Sidney, May 20: *MS. Ibid.*

fully the excellence of his intentions. Sir Thomas Cusack added his own commendations both of Terence and his master, and urged that now was the time to make O'Neil a friend forever. Sir Nicholas Arnold, with more discrimination, insisted that it was necessary to do one thing or the other, but he too seemed to recommend the Queen, as the least of two evils, to be contented with Shan's nominal allegiance, and to leave him undisturbed.

"If," he said, "you use the opportunity to make O'Neil a good subject, he will hardly swerve hereafter. The Pale is poor and unable to defend itself. If he do fall out before the beginning of next summer, there is neither outlaw, rebel, murderer, thief, nor any lewd or evil-disposed person — of whom God knoweth there is plenty swarming in every corner amongst the wild Irish, yea, and in our own border too — which would not join to do what mischief they might."¹

Alas! while Arnold wrote there came news that Shan's ambition was still unsatisfied. He had followed up his successes against the Scotch by seizing the Queen's castles of Newry and Dundrum. Turning west, he had marched into Connaught "to require the tribute due of owld time to them Invasion of Connaught. that were kings in that realm." He had exacted pledges of obedience from the western chiefs, frightened Clanrickard into submission, "spoiled O'Rourke's country," and returned to Tyrone, driving before him four thousand head of cattle. Instead of the intended four presidencies in Ireland, there would soon be only one; and Shan O'Neil did not mean to rest till he had revived the throne of his ancestors, and reigned once more in "Tara's halls."

¹ Sir T. Cusack to Cecil, August 23; O'Neil to Elizabeth, August 25; Sir N. Arnold to the English Council, August 31: *Irish MSS. Rolls Hon*

“Excuse me for writing plainly what I think,” said Lord Clanrickard to Sir William Fitzwilliam.
October.

“I assure you it is an ill likelihood toward — that the realm, if it be not speedily looked unto, will be at a hazard to come as far out of her Majesty’s hands as ever it was out of the hands of any of her predecessors. Look betimes to these things, or they will grow to a worse end.”¹

The evil news reached England at the crisis of the convulsion which had followed the Darnley marriage. The Protestants in Scotland had risen in rebellion, relying on Elizabeth’s promises; and Argyle, exasperated at her desertion of Murray, was swearing that he would leave his kinsmen unrevengeed, and would become Shan’s ally and friend. Mary Stuart was shaking her sword upon the Border, at the head of 20,000 men; and Elizabeth, distracted between the shame of leaving her engagements unredeemed or bringing the Irish and Spaniards upon her head, was in no humour to encounter fresh troubles. Shan’s words were as smooth as ever; his expedition to Connaught was represented as having been undertaken in the English interest. On his return, he sent “a petition” to have “his title and rule” determined without further delay; while “in consideration of his good services” he begged “to have some augmentation of living granted him in the Pale,” and “her Majesty to be pleased not to credit any stories which his evil-willers might spread abroad against him.”²

Elizabeth
resolves to
make the
best of
Shan.

Elizabeth allowed herself to believe what it was most pleasant to her to hope. “We must allow something,” she wrote to Sir

¹ Clanrickard to Fitzwilliam, October 11: *Irish MSS. Rolls House*.

² Shan O’Neil to Elizabeth, October 27: *MS. Ibid.*

Henry Sidney, "for his wild bringing up, and not expect from him what we should expect from a perfect subject; if he mean well, he shall have all his reasonable requests granted."¹

But it was impossible to leave Ireland any longer without the presence of a deputy. Sir Nicholas Arnold had gone over with singular and temporary powers; the administration was out of joint, and the person most fitted for the government by administrative and military capacity was Leicester's brother-in-law, Sir Henry Sidney, President of Wales.

Sidney knew Ireland well from past experience. He had held command there under Sussex himself; he had seen deputy after deputy depart for Dublin with the belief that he at last was the favoured knight who would break the spell of the enchantment; and one after another he had seen them return with draggled plumes and broken armour. Gladly would he have declined the offered honour. "If the Queen would but grant him leave to serve her in England, or in any place in the world else saving Ireland, or to live private, it should be more joyous to him than to enjoy all the rest and to go thither." It was idle to think that O'Neil could be really "reformed" except by force; and "the Irishry had taken courage through the feeble dealing with him." If he was to go, Sidney said, he would not go without money. Ten or twelve thousand pounds must be sent immediately to pay the outstanding debts. He must have more and better troops; two hundred horse and five hundred foot at least, in addition to those which were already at Dublin. He would keep his patent as President of Wales; he would have leave to return to England at his dis-

¹ Elizabeth to Sir H. Sidney, November 11: *Irish MSS. Rolls House.*

cretion if he saw occasion ; and for his personal expenses, as he could expect nothing from the Queen, he demanded — strange resource to modern eyes — permission to export six thousand kerseys and clothes free of duty.¹

His requests were made excessive perhaps to ensure their refusal ; but the condition of Ireland could not be trifled with any longer, and if he hoped to escape he was disappointed.

“In the matter of Ireland was found such an ample as was not to be found again in any place ; that a sovereign prince should be owner of such a kingdom, having no cause to fear the invasion of any foreign prince, neither having ever found the same invaded by any foreign power, neither having any power born or resident within that realm that denied or ever had directly or indirectly denied the sovereignty of the Crown to belong to her Majesty ; and yet, contrary to all other realms, the realm of Ireland had been and yet continued so chargeable to the Crown of England, and the revenues thereof so mean, and those which were, so decayed and so diminished, that great yearly treasures were carried out of the realm of England to satisfy the stipends of the officers and soldiers required for the governance of the same.”²

Sir Henry Sidney paid the penalty of his ability in being selected to terminate in some form or other a state of things which could no longer be endured. Again before he would consent

Sir H. Sidney is chosen Deputy.

¹ Petition of Sir H. Sidney going to Ireland: *Irish MSS. Rolls House.*

² Instructions to Sir H. Sidney, October 5: *MS. Ibid.*

he repeated and even exaggerated his conditions. He would not go as others had gone, "fed on the chameleon's dish," to twine ropes of sand and sea-slime to bind the Irish rebels with. He would go with a force to back him, or he would not go at all. He must have power, he said, to raise as many men as the Queen's service required; and she must trust his honour to keep them no longer than they were absolutely wanted. No remedial measures could be attempted till anarchy had been trampled down; and then the country would prosper of itself."

"To go to work by force," he said, "will be chargeable it is true; but if you will give the people justice and minister law among them, ^{Intended policy of Sidney.} and exercise the sword of the sovereign, and put away the sword of the subject — omnia hæc adjicientur vobis — you shall drive the now man of war to be an husbandman, and he that now liveth like a lord to live like a servant; and the money now spent in buying armour and horses and waging of war should be bestowed in building of towns and houses. By ending these incessant wars ere they be aware, you shall bereave them both of force and beggary, and make them weak and wealthy. Then you can convert the military service due from the lords into money; then you can take up the fisheries now left to the French and the Spaniards; then you can open and work your mines, and the people will be able to grant you subsidies." ¹

The first step towards the change was to introduce a better order of government: and relapsing upon the

¹ Opinions of Sir H. Sidney: *Irish MSS. Rolls House.*

scheme for the division into presidencies, Sidney urged Elizabeth to commence with appointing a President of Munster, where Ormond and Desmond were tearing at each other's throats. The expense — the first consideration with her — would be moderate. The President would be satisfied with a mark (13s. 4d.) a day; fifty men — horse and foot — would suffice for his retinue, with 9d. and 8d. a day respectively; and he would require two clerks of the signet, with salaries of a hundred pounds a year. The great Munster noblemen — Ormond, Desmond, Thomond, Clancarty, with the Archbishop of Cashel and the Bishops of Cork, Waterford, and Limerick, would form a standing council; and a tribunal would be established where disputes could be heard and justice administered without the perpetual appeal to the sword.¹

¹ It is noticeable that we find in an arrangement which was introduced as a reform and as a means of justice the following clause:—

"Also it shall be lawful for the President and Council, or any three of them, the President being one, in cases necessary, upon vehement suspicion and presumption of any great offence in any party committed against the Queen's Majesty, to put the same party to torture as they shall think convenient." — Presidency of Munster, February 1, 1566: *Irish MSS. Rolls House*.

Even in England torture continued to be freely used. On December 23, 1566, a letter was addressed by the Privy Council to the Attorney-General and others, that:—

"Where they were heretofore appointed to put Clement Fisher, now prisoner in the Tower, in some fear of torture whereby his lewdness and such as he might detect might the better come to light, they are requested, for that the said Fisher is not minded to be plain, as thereby the faults of others might be known, to cause the said Fisher according to their discretion to feel some touch of the rack, for the better boulding out and opening of that which is requisite to be known." — *Council Register*. Eliz. MSS.

And again, January 18, 1567. A letter to the Lieutenant of the Tower:—

"One Rice, a buckler-maker, committed there, is discovered to have been concerned in a robbery of plate four years before; the lieutenant to examine the said Rice about this robbery, and if they shall perceive him not willing to confess the same then to put him in fear of the torture, and

A clause was added to the first sketch in Cecil's hand: "The Lord President to be careful to observe Divine service and to exhort others to observe it; and also to keep a preacher who shall be allowed his diet in the household, to whom the said President shall cause due reverence to be given in respect of his office which he shall have for the service of God."

With an understanding that this arrangement for Munster should be immediately carried out, that the precedent, if successful in the south, should be followed out in the other provinces, and that his other requests should be complied with, Sidney left London for Ireland in the beginning of December.

December.

Every hour's delay had increased the necessity for his presence. Alarmed at the approach of another deputy, and excited on the other hand by the Queen of Scots' successes, Shan O'Neil had attached himself eagerly to her fortunes. In October he offered to assist her against Argyle, who was then holding out against her in the Western Highlands.¹ His pleasure was as great as his surprise when he found Argyle ready to allow the Western Islanders to join with him to drive the English out of Ireland, and punish Elizabeth for her treachery to Murray. So far Argyle carried his resentment, that he met Shan somewhere in the middle of the winter, and to atone for the disgrace of his half-sister, he arranged marriages between a son and daughter which she had borne to Shan, and two children of James M'Connell, whom Shan had killed; O'Neil undertook to settle on them the disputed lands of Antrim,

Alliance
between
O'Neil and
the Earl of
Argyle.

to let him feel some smart of the same whereby he may be the better brought to confess the truth," — *Irish MSS. Rolls House.*

¹ Adam Loftus to Leicester, November 20; *MS. Ibid.*

and Argyle consented at last to the close friendship in the interest of the Queen of Scots for which the Irish chief had so long been vainly suing.

No combination could be more ominous to England. Foul weather detained Sidney for six weeks at Holyhead. In the middle of January, but not without "the loss of all his stuff and horses," which were wrecked on the coast of Down, he contrived to reach Dublin: The state of things which he discovered on his arrival was worse than the worst which he had looked for. The English Pale he found "as it were overwhelmed with vagabonds; stealth and spoils daily carried out of it; the people miserable; not two gentlemen in the whole of it able to lend twenty pounds; without horse, armour, apparel, or victual." "The soldiers were worse than the people: so beggarlike as it would abhor a general to look on them." "Never a married wife among them," and therefore "so allied with Irish women," that they betrayed secrets, and could not be trusted on dangerous service; "so insolent as to be intolerable; so rooted in idleness as there was no hope by correction to amend them."

Sidney
lands in
Ireland

Condition of
the country.

So much for the four shires. "In Munster," as the fruit of the Ormond and Desmond wars, "a man might ride twenty or thirty miles and find no houses standing," in a county which Sidney had known "as well inhabited as many counties in England." Connaught was quiet so far, and Clanrickard was probably loyal; but he was weak, and was in constant expectation of being overrun.

"In Ulster," Sidney wrote, "there tyrannizeth the prince of pride; Lucifer was never more puffed up with pride and ambition than that

March.

O'Neil is ; he is at present the only strong and rich man in Ireland, and he is the dangerouslest man and most like to bring the whole estate of this land to subversion and subjugation either to him or to some foreign prince, that ever was in Ireland.”¹

The Deputy's first step after landing was to ascertain the immediate terms on which the dreaded chief of the North intended to stand towards him. He wrote to desire Shan to come into the Pale to see him, and Shan at first answered with an offer to meet him at Dundalk ; but a letter followed in which he subscribed himself as Sidney's "loving gossip to command," the contents of which were less promising. For himself, Shan said, he had so much affection and respect for Sir Henry, that he would gladly go to him anywhere ; but certain things had happened in past years which had not been wholly forgotten. The Earl of Sussex had twice attempted to assassinate him. Had not the Earl of Kildare interfered, the Earl of Sussex, when he went to Dublin to embark for England, "would have put a lock upon his hands, and have carried him over as a prisoner." His "timorous and mistrustful people," after these experiences, would not trust him any more in English hands.²

All this was unpleasantly true, and did not diminish Sidney's difficulties. It was none the less necessary for him, however, to learn what he was to expect from Shan. Straining a point at the risk of offending Elizabeth, he accepted the services of Stukely, which gave the latter an opportunity of covering part of his misdoings by an act of good service, and sent him with another gentleman to Shan's castle, "to discover if possible what he was, and what he was like to at-

¹ Sidney to Leicester, March 5: *Irish MSS. Rolls House.*

² Shan O'Neil to Sidney, February 18: *MS. Ibid.*

tempt.”¹ A better messenger, supposing him honest, could not have been chosen. Shan was at his ease with a person whose life was as lawless as his own. He had ceased to care for concealment, and spoke out freely. At first “he was very flexible but very timorous to come to the Deputy, apprehending traitorous practices.” One afternoon “when the wine was in him,” he put his meaning in plainer language. Stukely had perhaps hinted that there would be no earldom for him unless his doings were more satisfactory. The Irish heart and the Irish tongue ran over.

“I care not,” he said, “to be made an earl unless
 O’Neil’s
 Views for
 himself. I may be better and higher than an earl, for
 I am in blood and power better than the best
 of them; and I will give place to none but my cousin
 of Kildare, for that he is of my house. You have
 made a wise earl of M’Carty More. I keep as good a
 man as he. For the Queen I confess she is my Sovereign, but I never made peace with her but by her own seeking. Whom am I to trust? When I came to the Earl of Sussex on safe conduct he offered me the courtesy of a handlock. When I was with the Queen, she said to me herself that I had, it was true, safe conduct to come and go, but it was not said when I might go; and they kept me there till I had agreed to things so far against my honour and profit, that I would never perform them while I live. That made me make war, and if it were to do again I would do it. My ancestors were kings of Ulster; and Ulster is mine, and shall be mine. O’Donnell shall never come into his country, nor Bagenal into Newry, nor Kildare into Dundrum or Lecale. They are now mine. With this sword I won them; with this sword I will keep them.”

¹ Sidney to Leicester, March 5: *Irish MSS. Rolls House.*

"My Lord," Sidney wrote to Leicester, "no Attila nor Totila, no Vandal or Goth that ever was, was more to be doubted for overrunning any part of Christendom than this man is for overrunning and spoiling of Ireland. If it be an angel of heaven that will say that ever O'Neil will be a good subject till he be thoroughly chastised, believe him not, but think him a spirit of error. Surely if the Queen do not chastise him in Ulster, he will chase all hers out of Ireland. Her Majesty must make up her mind to the expense, and chastise this cannibal. She must send money in such sort as I may pay the garrison throughout. The present soldiers who are idle, treacherous, and incorrigible, must be changed. Better have no soldiers than those that are here now — and the wages must be paid. It must be done at last, and to do it at once will be a saving in the end. My dear Lord, press these things on the Queen. If I have not money, and O'Neil make war, I will not promise to encounter with him till he come to Dublin. Give me money, and though I have but five hundred to his four thousand, I will chase him out of the Pale in forty-eight hours. If I may not have it, for the love you bear me have me home again. I have great confidence in Lord Kildare. As to Sussex and Arnold, it is true that all things are in disorder and decay; but the fault was not with them — impute it to the iniquity of the times. These malicious people so hated Sussex, as to ruin him they would have ruined all. Arnold has done well and faithfully; and Kildare very well. Remember this, and if possible let him have the next garter that is vacant." ¹

To the long letter to his brother-in-law, Sidney

¹ Sidney to Leicester March 5, (condensed): *Irish MSS. Rolls House.*

added a few words equally anxious and earnest to Cecil. "Ireland," he said, "would be no small loss to the English Crown, and it was never so like to be lost as now. O'Neil has already all Ulster, and if the French were so eager about Calais, think what the Irish are to recover their whole island. I love no wars: but I had rather die than Ireland should be lost in my government."¹

Evidently, notwithstanding all his urgency before he left England, notwithstanding the promises which he extracted from Elizabeth, the treasury doors were still locked. Months had passed; arrears had continued to grow; the troops had become more disorganized than ever, and the summer was coming, which would bring O'Neil and his galloglasse into the Pale, while the one indispensable step was still untaken which must precede all preparations to meet him. Nor did these most pressing letters work any speedy change. March

April.
Sidney ap-
plies for
men and
money.

went by and April came; and the smacks from Holyhead sailed up the Liffey, but they brought no money for Sidney and no despatches. At length, unable to bear his suspense and disappointment longer, he wrote again to Leicester:—

"My Lord, if I be not speedier advertised of her Highness's pleasure than hitherto I have been, all will come to naught here, and before God and the world I will lay the fault on England, for there is none here. By force or by fair means the Queen may have anything that she will in this country, if she will minister means accordingly, and with no great charge. If she will resolve of nothing, for her Majesty's advantage and for the benefit of this miserable country, persuade

¹ Sidney to Cecil, March, 1566: *Irish MSS. Rolls House.*

her Highness to withdraw me, and pay and discharge this garrison. As I am, and as this garrison is paid, I undo myself; the country is spoiled by the soldiers, and in no point defended. Help it, my Lord, for the honour of God, one way or the other.”¹

Two days later a London post came in, and with it letters from the Council. The help would have come long since had it rested with them. On the receipt of his first letter, they had agreed unanimously that every wish should be complied with. Money, troops, discretionary power — all should have been his — “so much was every man’s mind inclined to the extirpation of that proud rebel, Shan.” The Munster Council, which had hung fire also, should have been set on foot without a day’s delay; and Sir Warham St. Leger, according to Sidney’s recommendation, would have been appointed the first President. Elizabeth only had fallen into one of her periodic fits of ill-humour and irresolution, and would neither consent nor refuse. She had not questioned the justice of Sidney’s report; she was “heated and provoked with the monster” who was the cause of so much difficulty. Elizabeth
quarrels
with
Sidney. Yet to ask her for money was to ask her for

her heart’s blood. “Your lordship’s experience of negotiation here in such affairs with her Majesty,” wrote Cecil, “can move you to bear patiently some storms in the expedition;” “the charge was the hindrance;” and while she could not deny that it was necessary, she could not forgive the plainness with which the necessity had been forced upon her.

She quarrelled in detail with everything which Sidney did; she disapproved of the Munster Council be

¹ Sidney to Leicester, April 13: *Irish MSS. Rolls House.*

cause Ireland could not pay for it; and it was useless to tell her that Ireland must be first brought into obedience. She was irritated because Sidney, unable to see with sufficient plainness the faults of Desmond and the exclusive virtues of Ormond, had refused to adjudicate without the help of English lawyers, in a quarrel which he did not understand. She disapproved of Sir Warham St. Leger, because his father, Sir Antony, had been on bad terms with the father of Ormond; she insisted that Sidney should show favour to Ormond, "in memory of his education with that holy young Solomon King Edward;"¹ and she complained bitterly of the employment of Stukely.

It was not till April was far advanced that the Council forced her by repeated importunities to consent that "Shan should be extirpated;" and even then she would send only half of what was wanted to pay the arrears of the troops. "Considering the great sums of money demanded and required of her in Ireland and elsewhere, she would be most glad that for reformation of the rebel any other way might be devised," and she affronted the Deputy by sending Sir Francis Knolles to control his expenditure. If force could not be dispensed with, Sir Francis might devise an economical campaign. "The cost of levying troops in England was four times as great as it used to be;" and it would be enough, she thought, if five or six hundred men were employed for a few weeks in the summer. O'Donnell, O'Reilly, and M'Guyre might be restored to their castles, and they could then be disbanded.² Such at least was her own opinion: should those, however, who had better

Elizabeth
consents to
the war
with Shan.

¹ Cecil to Sidney, March 27: *Irish MSS. Rolls House*.

² Instructions to Sir F. Knolles. By the Queen, April 18: *MS. Ibid.*

means of knowing the truth, conclude that the war so conducted would be barren of result, she agreed with a sigh that they must have their way. She desired only that the cost might be as small as possible; "the fortification of Berwick and the payment of our foreign debts falling very heavily on her."¹

Such was ever Elizabeth's character. She had received the Crown encumbered with a debt which with self-denying thrift she was laboriously reducing, and she had her own reasons for disliking over frequent sessions of Parliament. At the last extremity she would yield usually to what the public service demanded, but she gave with grudging hand and irritated temper; and while she admitted the truth, she quarrelled with those who brought it home to her.

Shan meanwhile was preparing for war. He doubted his ability to overreach Elizabeth any more by words and promises, while the growth of the party of the Queen of Scots, his own connexion with her, and the Catholic reaction in England and Scotland, encouraged him to drop even the faint disguise behind which he had affected to shield himself. He mounted brass "artillery" in Dundrum Castle, and in Lifford at the head of Lough Foyle. The friendship with Argyle grew closer, and another wonderful marriage scheme was in progress for the alliance between the houses of M'Callum-More and O'Neil. "The Countess" was to be sent away, and Shan was to marry the widow of James M'Connell, whom he had killed — who was another half-sister of Argyle, and whose daughter he had married already and divorced. This business "was said to be the Earl's practice."² The Irish chiefs, it

¹ Instructions to Sir F. Knolles. By the Queen, April 18: *Irish MSS Rolls House*.

² Sidney to the English Council, April 15: *MS. Ibid.*

seemed, three thousand years behind the world, retained the habits and the moralities of the Greek princes in the tale of Troy, when the bride of the slaughtered husband was the willing prize of the conqueror; and when only a rare Andromache was found to envy the fate of a sister

“Who had escaped the bed of some victorious lord.”

Aware that Sidney's first effort would be the restoration of O'Donnell, O'Neil commenced the campaign with a fresh invasion of Tyrconnell, where O'Donnell's brother still held out for England; he swept round by Lough Erne, swooped on the remaining cattle of M'Guyre, and “struck terror and admiration into the Irishry.”¹ Then, stretching out his hands for foreign help, he wrote in the style of a king to Charles the Ninth of France.

May. O'Neil applies for help to France. “Your Majesty's father, King Henry, in times past required the Lords of Ireland to join with him against the heretic Saxon, the enemies of Almighty God, the enemies of the Holy Church of Rome, your Majesty's enemies and mine.² God would not permit that alliance to be completed, notwithstanding the hatred borne to England by all of Irish blood, until your Majesty had become King in France, and I was Lord of Ireland. The time is come, however, when we all are confederates in a common bond to drive the invader from our shores; and we now beseech your Majesty to send us six thousand well-armed men. If you will grant our request, there will soon be no Englishman left alive among us, and we will be your Majesty's subjects evermore.

¹ The Bishop of Meath to Sussex, April 27, 1566: Wright, Vol. I.

² “Vestræ Majestatis et nostræ simul inimicos.”

Help us, we implore you, to expel the heretics and schismatics, and to bring back our country to the holy Roman see." ¹

The letter never reached its destination; it fell into English hands. Yet in the "tickle" state of Europe, and with the progress made by Mary Stuart, French interference was an alarming possibility. More anxious and more disturbed than ever, Elizabeth made Sidney her scapegoat. Lord Sussex, ill repaying Sir Henry's generous palliation of his own shortcomings, envious of the ability of Leicester's brother-in law, and wishing to escape the charge which he had so well deserved of being the cause of Shan's "greatness," whispered in her ear that in times past Sidney had been thought to favour "that great rebel;" that he had addressed him long before in a letter by the disputed title of "O'Neil," and was, perhaps, his secret ally.

Sussex intrigues against Sidney.

Elizabeth did not seriously believe this preposterous story; but it suited her humour to listen to a suspicion which she could catch at as an excuse for economy. The preparations for war were suspended, and instead of receiving supplies, Sidney learnt only that the Queen had spoken unworthy words of him.

Sidney's blood was hot; he was made of bad materials for a courtier. He wrote at once to Elizabeth herself, "declaring his special grief at hearing that he was fallen from her favour," and "that she had given credit to that improbable slander raised upon him by the Earl of Sussex." He wrote to the Council, entreating them not to allow these idle stories to relax their energies in suppressing the rebellion; but he

¹ O'Neil to Charles IX. 1566: *Irish MSS. Rolls House.*

begged them at the same time to consider his own "unaptness to reside any longer in Ireland, or to be an actor in the war." The words which the Queen had used of him were gone abroad in the world. "He could find no obedience." "His credit being gone, his power to be of service was gone also." He therefore demanded his immediate recall, Sidney demands his recall. "that he might preserve the small remnant of his patrimony, already much diminished by his coming to Ireland." As for the charge brought against him by the Earl of Sussex, he would reply with his sword and body "against an accusation concealed hitherto he knew not with what duty, and uttered at last with impudency and unshamefastness."¹

But Elizabeth meant nothing less than to recall Sidney. She neither distrusted his loyalty nor questioned his talents; she chose merely to find fault with him while she made use of his services. It was her habit toward those among her subjects whom she particularly valued. Sir Francis Knolles when he arrived at Dublin could report only that Sidney had gained the love and the admiration of every one; and that his plan for proceeding against O'Neil was the first which had ever promised real success. Campaigns in Ireland had hitherto been no more than summer forays — mere inroads of devastation during the few dry weeks of August and September. Sidney proposed to commence at the end of the harvest, when the corn was gathered in, and could either be seized or destroyed; and to keep the field through the winter and spring. It would be expensive; but money well laid out was the best economy in the end, and Sidney undertook, if he was allowed as many men as he thought requisite, and

¹ Sidney to the English Council, May 18: *Irish MSS. Rolls House.*

was not interfered with, "to subdue, kill, or expel Shan, and reduce Ulster to as good order as any part of Ireland." ¹

At first Elizabeth would not hear of it; she would not ruin herself for any such hairbrained madness. The Deputy must defend the Pale through the summer, and the attack on O'Neil, if attempted at all, should be delayed till the spring ensuing. But Sir Francis, who was sent to prevent expense, was the foremost to insist on the necessity of it. He explained that in the cold Irish springs the ^{Plan for the campaign.} fields were bare, the cattle were lean, and the weather was so uncertain, that neither man nor horse could bear it; whereas in August food everywhere was abundant, and the soldiers would have time to become hardened to their work. They could winter somewhere on the Bann, harry Tyrone night and day without remission, and so break Shan to the ground and ruin him. Two brigantines would accompany the army with supplies, and control the passage between Antrim and the Western Isles; and beyond all, Knolles reëchoed what Sidney had said before him on the necessity of paying wages to the troops, instead of leaving them to pay themselves at the expense of the people. Nothing was really saved, for the debts would have eventually to be paid, and paid with interest — while meanwhile the "inhabitants of the Pale were growing hostile to the English rule." ²

The danger to the State could hardly be exaggerated. M'Guyre had come into Dublin, with his last cottage in ashes, and his last cow driven over the hills into Shan's country; Argyle, with the whole disposa-

¹ Sidney to Cecil, April 17: *Irish MSS. Rolls House.*

² Sir F. Knolles to Cecil, May 19: *MS. Ibid.*

ble force of the Western Isles, was expected in person in Ulster in the summer.

Elizabeth's irritation had been unable to wait till she had received Knolles's letters. She made herself a judge of Sidney's projects; she listened to Sussex, who told her that they were wild and impossible. Whether Sussex was right or Sidney was right, she was called upon to spend money; and while Elizabeth will not consent to it. she knew that she would have to do it, she continued to delay and make difficulties, and to vex Sidney with her letters,

His temper boiled over again.

"I testify to God, to her Highness, and to you," he wrote on the 3d of June to Cecil, "that all the charge is lost that she is at with this manner of proceeding. O'Neil will be tyrant of all Ireland if he be not speedily withstood. He hath as I hear won the rest of O'Donnell's castles; he hath confederated with the Scots; he is now in M'Guyre's country. All this summer he will spend in Connaught; next winter in the English Pale. It may please the Queen to appoint some order for Munster—for it will be a mad Munster in haste else. I will give you all my land in Rutlandshire to get me leave to go into Hungary, and think myself bound to you while I live. I trust there to do my country some honour: here I do neither good to the Queen, to the country, nor myself. I take my leave in haste, as a thrall forced to live in loathsomeness of life."¹

The Council, finding Sidney's views accepted and endorsed by Knolles, united to recommend them; a

¹ Sidney to Cecil, June 3: *Irish MSS. Rolls House.*

schedule was drawn out of the men, money, and stores which would be required; a thousand of the best troops in Berwick, with eight hundred Irish, was the increase estimated as necessary for the army; and the wages of eighteen hundred men for six months would amount to ten thousand four hundred and eighty pounds. Sixteen thousand pounds was already due to the Irish garrison. The provisions, arms, clothes, and ammunition would cost four thousand five hundred pounds; and four thousand pounds in addition would be wanted for miscellaneous services.¹

The reluctance of Elizabeth to engage in an Irish campaign was not diminished by a demand for thirty four thousand nine hundred pounds. Sussex continued malignant and mischievous, and there was many a Catholic about the court who secretly wished O'Neil to succeed. "The Court," wrote Cecil to Sidney, "is not free from many troubles—amongst others none worse than emulations, disdains, backbitings, and such like, whereof I see small hope of diminution."

The Queen at the beginning refused to allow more than six hundred men to be sent from England, or more than four hundred to be raised in Ireland. To no purpose Cecil insisted; in vain Leicester challenged Sussex and implored his mistress to give way. "Her Majesty was absolutely determined." The Ormond business had created fresh exasperation. Sir Henry, though admiring and valuing the Earl of Ormond's high qualities, had persisted in declaring himself unable to decide the litigated questions between the house of Butler and the Desmonds. Archbishop Kirwan, the Irish Chancellor,

The Ormond
and Des-
mond con-
troversy.

¹ Notes for the army in Ireland, May 30. In Cecil's hand: *Irish MSS. Rolls House.*

was old and incapable; the Deputy had begged for the assistance of some English lawyers; "but such evil report had Ireland that no English lawyer would go there."¹ The Queen flew off from the campaign to the less expensive question. Lawyer or no lawyer, she insisted that judgment should be given in Ormond's favour. She complained that the Deputy was partial to Desmond, and — especially wounding Sidney, whose chief success had been in the equity of his administration, and whose first object had been to check the tyrannical exactions of the Irish noblemen — she required him to make an exception in Ormond's favour, and permit "coyn and livery," the most mischievous of all the Irish imposts, to be continued in Kilkenny.

"I am extremely sorry," Sidney replied to Cecil, when the order reached him, — "I am extremely sorry to receive her Majesty's command to permit the Earl of Ormond to exercise coyn and livery, which have been the curse of this country, and which I hoped to have ended wholly. I would write more, if I did not hope to have my recall by the next east wind. Only weigh what I have said. Whatever becomes of me you will have as woeful a business here as you had in Calais if you do not look to it in time."²

Elizabeth was not contented till she had written out her passion to Sidney with her own hand. She told him that she disapproved of all that he was doing. If he chose to persist, she would give him half the men that he required, and with those he might do what he could on his own responsibility.³ It seemed, however, that she had relieved her feelings as soon as she had

Sidney again remonstrates, and Elizabeth a second time gives way.

¹ Cecil to Sidney, June 16: *Irish MSS. Rolls House*.

² Sidney to Cecil, June 24: *MS. Ibid.*

³ Elizabeth to Sidney, June 15: *MS. Ibid.*

expressed them. A week later she yielded to all that was required of her. Cecil soothed Sidney's anger with a gracious message ;¹ Sidney, since she was pleased to have it so, consented to remain and do his duty ; and thus after two months had been consumed in quarrels, the preparations for the war began in earnest.

The troops from England were to go direct to Lough Foyle ; to land at the head of the lake, and to move up to Lifford, where they were to entrench themselves and wait for the Deputy, who would advance from the Pale to join them. The command was given to Colonel Edward Randolph, an extremely able officer who had served at Havre ; and the men were marched as fast as they could be raised to Bristol, the port from which the expedition was to sail, while Sidney was setting a rare example in Dublin, and spending the time till he could take the field " in hearing the people's causes."

Edward
Randolph
commands
the troops
from Eng-
land.

Shan O'Neil, finding that no help was to be looked for from France, and that mischief was seriously intended against him, tried a stroke of treachery. He wrote to Sidney to say that he wished to meet him, and a spot near Dundalk being chosen for a conference, he filled the woods in the neighbourhood with his people, and intended to carry off the Deputy as a prize. Sir Henry was too wary to be caught. He came to the Border on the 25th of July ; but he came in sufficient strength to defend himself ; Shan did not appear, and waiting till Sidney had returned to Dublin, made a sudden attempt on the 29th to seize Dundalk. Young Fitzwilliam, who was in command of the English garrison there, was on the

July.
O'Neil at-
tacks Dun-
dalk, and
falls.

¹ Cecil to Sidney, June 24: *Irish MSS. Rolls House.*

alert. The surprise failed. The Irish tried an assault but were beaten back, and eighteen heads were left behind to grin hideously over the gates. Shan himself drew back into Tyrone: to prevent a second occupation of Armagh Cathedral by an English garrison, he burnt it to the ground; and sent a swift messenger to Desmond to urge him to rise in Munster. "Now was the time or never to set upon the enemies of Ireland. If Desmond failed or turned against his country, God would avenge it on him."¹

Had Sidney allowed himself to be forced into the precipitate decision which Elizabeth had urged upon him, the Geraldines would have made common cause with O'Neil. But so long as the English Government was just, Desmond did not care to carve a throne for a Celtic chief; he replied with sending an offer to the Deputy "to go against the rebel with all his power." Still more opportunely the Earl of Murray at the last moment detached Argyle from the pernicious and monstrous alliance into which he had been led by his vindictiveness against Elizabeth. The Scots of the Isles, freed from the commands of their feudal sovereign, resumed their old attitude of fear and hatred. Shan offered them all Antrim to join him, all the cattle in the country and the release of Surlyboy from captivity; but Antrim and its cattle they believed that they could recover for themselves, and James M'Connell had left a brother, Allaster, who was watching with eager eyes for an opportunity, to revenge the death of his kinsman and the dishonour with which Shan had stained his race.

The Scots, though still few in number, hung as a

¹ Commendation from O'Neil to John of Desmond, September 9: *Irish MSS. Rolls House.*

cloud over the northeast. Dropping boat-loads of Highlanders from the Isles were guided to the coast by the beacon fires which blazed nightly over the giant columns of Fairhead. Allaster M'Connell offered his services to Sidney as soon as the game should begin; and Shan after all, instead of conquering Ireland, might have enough to do to hold his own. The weather was unfavourable, and the summer was wet and wild with westerly gales. Sir Edward Horsey, who was sent with money from London, was detained half August at Holyhead; Colonel Randolph and his thousand men were chafing for thirty days at Bristol, "fearing that their enemies the winds would let them that they should not help Shan to gather his harvest;"¹ and Sidney, as from time to time some fresh ungracious letter came from Elizabeth, would break into a rage again and press Cecil "for his recall from that accursed country."² Otherwise, however, the prospects grew brighter with the autumn. In the second week in September the Bristol transports were seen passing into the North Channel with a leading breeze. Horsey came over with the money; the troops of the Pale, with the long due arrears paid up, were ordered to Drogheda; and on the 17th, assured that by that time Randolph was in Lough Foyle, the Deputy, accompanied by Kildare, the old O'Donnell, Shan M'Guyre, and another dispossessed chief, O'Dogherty, took the field.

Randolph
lands at
Lough
Foyle.

Passing Armagh, which they found a mere heap of blackened stones, they reached the Blackwater on the 23d. On an island in a lake

Sidney
commences
his march.

¹ Edward Randolph to Cecil from Bristol, September 3: *Irish MSS Rolls House*.

² Sidney to Cecil, September 10: *MS. Ibid*,

near the river, there stood one of those many robber castles which lend in their ruin such romantic beauty to the inland waters of Ireland. Report said that within its walls Shan had stored much of his treasure, and the troops were eager to take it. Sidney selected from among the many volunteers such only as were able to swim, and a bridge was extemporized with brushwood floated upon barrels. The army was without artillery; it had been found impracticable to carry a single cannon over roadless bog and mountain, and the storming party started with hand-grenades to throw over the walls. The bridge proved too slight for its work; slipping and splashing through the water the men got over, but their "fireworks" were wetted in the passage, and they found themselves at the foot of thirty feet of solid masonry without ladders and with no weapons but their bows and battle-axes. "The place was better defended and more strongly fortified" than Sidney had supposed. Several of the English were killed and many more were wounded; and the Deputy had the prudence to waste no more valuable lives or equally valuable days upon an enterprise which when accomplished would be barren of result. On the 24th the army crossed the river into Shan's own country. The Irish hung on their skirts but did not venture to molest them, and they marched without obstruction to Benbrook, one of O'Neil's best and largest houses, which they found "utterly burnt and razed to the ground." From Benbrook they went on towards Clogher, through pleasant fields and villages "so well inhabited as no Irish county in the realm was like it:" it was the very park or preserve into which the plunder of Ulster had been gathered; where the people enjoyed the profits of unlimited pillage, from which

till then they had been themselves exempt. The Bishop of Clogher was a "rebel," and was out with Shan in the field; his well-fattened flock were devoured by Sidney's men as by a flight of Egyptian locusts. "There we stayed," said Sidney, "to destroy the corn; we burned the country for twenty-four miles' compass, and we found by experience that now was the time of the year to do the rebel most hurt." Here died M'Guyre at the monastery of Omagh, within sight of the home to which he was returning, by the pleasant shores of Lough Erne. Here, too, the Earl of Kildare narrowly escaped being taken prisoner; he was surprised with a small party in a wood, attacked with "harquebusses and Scottish arrows," and hardly cut his way through.

Detained longer than he intended by foul weather, Sidney broke up from Omagh on the 2d of October, crossed "the dangerous and swift river there," "and rested that night on a neck of land near a broken castle of Tirlogh Lenogh, called the Salmon Castle." On the 3d he was over the Derry, and by the evening he had reached Lifford, where he expected to find Randolph and the English army.

At Lifford, however, no English were to be discovered, but only news of them.

Randolph, to whose discretion the ultimate choice of his quarters had been committed, had been struck, as he came up Lough Foyle, with the situation of Derry. Nothing then stood on the site of the present city, save a decrepit and deserted monastery of Augustine monks, which was said to have been built in the time of St. Columba; but the eye of the English commander saw in the form of the ground, in the magnificent lake, and the splendid tide river, a site for the foundation of a

powerful colony, suited alike for a military station and
 a commercial and agricultural town. There,
 therefore, Colonel Randolph had landed his
 men, and there Sidney joined him, and, after
 a careful survey, entirely approved his judgment. The
 monastery, with a few sheds attached to it, provided
 shelter. The English troops had not been idle, and
 had already entrenched themselves "in a very warlike
 manner." O'Donnell, O'Dogherty, and the other
 friends of England "agreed all of them that it was
 the very best spot in the northern counties to build
 a city."

At all events, for present purposes, the northern
 force was to remain there during the winter. Sidney
 stayed a few days at Derry, and then leaving Ran-
 dolph with 650 men, 350 pioneers, and provisions for
 two months, continued his own march. His object
 was to replace O'Donnell in possession of his own
 country and castles, restore O'Dogherty and the other
 chiefs, and commit them to the protection of Randolph,
 while he himself would sweep through the whole
 northern province, encourage the loyal clans to return
 to their allegiance, and show the people generally that
 there was no part of Ireland to which the arm of the
 Deputy could not reach, to reward the faithful and pun-
 ish the rebellious.

Donegal was his next point after leaving Lough
 Foyle — once a thriving town inhabited by
 English colonists — at the time of Sidney's
 arrival a pile of ruins, in the midst of which, like a
 wild beast's den strewn round with mangled bones,
 rose "the largest and strongest castle which he had
 seen in Ireland." It was held by one of O'Donnell's
 kinsmen, to whom Shan — to attach him to his cause

October.
 First settle-
 ment at
 Derry.

Sidney at
 Donegal.

— had given his sister for a wife. At the appearance of the old chief with the English army, it was immediately surrendered. O'Donnell was at last rewarded for his fidelity and sufferings, and the whole tribe, with eager protestations of allegiance, gave sureties for their future loyalty.

Leaving O'Donnell in possession, and scarcely pausing to rest his troops, Sidney again went forward. On the 19th he was at Ballyshannon; on the 22d, at Sligo; on the 24th he passed over the bogs and mountains of Mayo into Roscommon; and then "leaving behind them as fruitful a country as was in England or Ireland all utterly waste," the army turned their faces homewards, swam the Shannon at Athlone for lack of a bridge on the 26th, and so back to the Pale. Twenty castles had been taken as they went along, and left in hands that could be trusted. "In all that long and painful journey," Sidney was able to say that "there had not died of sickness but three persons;" men and horses were brought back in full health and strength, while "her Majesty's honour was reëstablished among the Irishry and grown to no small veneration"¹ — an expedition "comparable only to Alexander's journey into Bactria," wrote an admirer of Sidney to Cecil — revealing what to Irish eyes appeared the magnitude of the difficulty, and forming a measure of the effect which it produced. The English Deputy had bearded Shan in his stronghold, burnt his houses, pillaged his people, and had fastened a body of police in the midst of them to keep them waking in the winter nights. He had penetrated the hitherto impregnable fortresses of mountain

Restoration
of O'Don-
nell.

Returns to
the Pale.

¹ Sir H. Sidney and the Earl of Kildare to Elizabeth, November 12:
Irish MSS. Rolls House.

and morass. The Irish who had been faithful to England were again in safe possession of their lands and homes. The weakest, maddest, and wildest Celts were made aware that when the English were once roused to effort, they could crush them as the lion crushes the jackal.

Meantime Lord Ormond had carried his complaints to London, and the letter which Sidney found waiting his return was not what a successful commander might have expected from his sovereign. Before he started, he had repeated his refusal to determine a cause which he did not understand, without the help of lawyers. There was no one in Ireland of whom he thought more highly than of Lord Ormond; there was none that he would more gladly help; but disputed and complicated titles to estates were questions which he was unable to enter into. He could do nothing till the cause had been properly heard; and in the existing humour of the country it would have been mere madness to have led Desmond to doubt the equity of the English Government. But Sidney's modest and firm defence found no favour with Elizabeth. While he was absent in the North she wrote to Sir Edward Horsey desiring him to tell the Deputy that she was ill satisfied with his proceedings; he had allowed himself to be guided by Irish advisers; he had been partial to Desmond; "he that had least deserved favour had been most borne withal." While in fact he had done more for Ireland in the eight months of his government than any English ruler since Sir Edward Bellingham, the Queen insisted that he had attended to none of her wishes, and had occupied himself wholly with matters of no importance.

Most likely she did not believe what she said; but

Elizabeth
still out of
humour
with
Sidney.

Sidney was costing her money, and she relieved herself by finding fault.

“My good Lord,” Cecil was obliged to write to him to prevent an explosion, “next to my most hearty commendations, I do with all my heart Cecil’s advice to Sidney. condole and take part of sorrow to see your burden of government so great, and your comfort from hence so uncertain. I feel by myself — being also here wrapped in miseries, and tossed with my small vessel of wit and means in a sea swelling with storms of envy, malice, disdain and suspicion — what discomfort they commonly have that mean to deserve best of their country. And though I confess myself unable to give you advice, and being almost desperate myself of well-doing, yet for the present I think it best for you to run still an even course in government, with indifferency in case of justice to all persons, and in case of favour, to let them which do well find their comfort by you; and in other causes, in your choice to prefer them whom you find the Prince most disposed to have favoured. My Lord of Ormond doth take this commodity by being here to declare his own griefs; I see the Queen’s Majesty so much misliking of the Earl of Desmond as surely I think it needful for you to be very circumspect in ordering of the complaints exhibited against him.”¹

It must be admitted that Elizabeth’s letter to Horsey was written at the crisis of the succession quarrel in Parliament, and that her not unprovoked ill-humour was merely venting itself upon the first object which came across her: nor had she at that time heard of Sidney’s successes in Ulster, and probably she despaired of ever hearing of successes. Yet when she

¹ Cecil to Sidney, October 20: *Irish MSS. Rolls House.*

did hear, the tone of her letters was scarcely altered, she alluded to his services only to reiterate her complaints; and she would not have gone through the form of thanking him had not Cecil inserted a few words of acknowledgment in the draft of her despatch.¹ Sidney's patience was exhausted. Copies of the Queen's disparaging letters were circulated privately in Dublin, obtained he knew not how, but with fatal effect upon his influence. He had borne Elizabeth's caprices long enough. "For God's sake," he wrote angrily on the 15th of November, in answer to Cecil's letter, "for God's sake get my recall; the people here know what the Queen thinks of me, and I can do no good."²

November.
Sidney again
demands his
recall.

From these unprofitable bickerings the story must return to Colonel Randolph and the garrison of Derry. For some weeks after Sidney's departure all had gone on prosperously. The country people, though well paid for everything, were slow to bring in provisions; the bread ran short; and the men had been sent out poorly provided with shoes, or tools, or clothes. But foraging parties drove in sufficient beef to keep them in fresh meat. Randolph, who seems to have been a man of fine foresight, had sent to the English Pale for a supply of forage before the winter set in; he had written to England "for shirts, kerseys, canvas, and leather;" he kept Cecil constantly informed of the welfare and wants of the troops;³ and for some time they were healthy and in high spirits, and either worked steadily at the fortress, or were doing good service in the field.

While Sidney was in Connaught, Shan, who had

¹ The words "for which we are bound to thank you" are inserted in Cecil's hand. — The Queen to Sidney, November, 1566.

² *Irish MSS. Rolls House.*

³ Edward Randolph to Cecil, October 27: *MS. Ibid.*

followed him to Lifford, turned back upon the Pale, expecting to find it undefended. He was encountered by Sir Warham St. Leger, lost two hundred men, and was at first hunted back over the Border. He again returned, however, with "a main army," burnt several villages, and in a second fight with St. Leger was more successful; the English were obliged to retire "for lack of more aid;" but they held together in good order, and Shan, with the Derry garrison in his rear, durst not follow far from home in pursuit. Before he could revenge himself on Sidney, before he could stir against the Scots, before he could strike a blow at O'Donnell, he must pluck out the barbed dart which was fastened in his unguarded side.

Knowing that he would find it no easy task, he was hovering cautiously in the neighbourhood of Lough Foyle, when Randolph fell upon him by surprise on the 12th of November. The O'Neils fled after a short, sharp action. O'Dogherty with his Irish horse chased the flying crowd, killing every man he caught, and Shan recovered himself to find he had lost four hundred men of the bravest of his followers. More fatal overthrow neither he nor any other Irish chief had yet received at English hands. But the success was dearly bought; Colonel Randolph himself, leading the pursuit, was struck by a random shot, and fell dead from his horse. The Irish had fortunately suffered too severely to profit by his loss. Shan's motley army, held together as it was by the hope of easily-bought plunder, scattered when the service became dangerous. Sidney, allowing him no rest, struck in again beyond Dundalk, burning his farms and capturing his castles.¹ The Scots came in

Defeat of
O'Neal and
death of
Randolph.

¹ Sidney to the Lords of the Council, December 12: *Irish MSS. Rolls House.*

of England, as she had already professed her willingness to be.¹ Some trustworthy person — if possible the Earl of Murray, “as there was none so meet in all Scotland” — would have to continue in the Regency. The forfeitures on all sides should

May.

be declared void, and the Queen of Scots must ratify, if not the whole treaty of Leith, yet so much of it as touched the rights of Elizabeth herself. The Scotch Parliament must undertake that the conditions should be observed, and if they were violated by Mary Stuart herself, she was to be understood to have *ipso facto* forfeited her crown.²

These offers were submitted to the Queen of Scots at various intervals, and accompanied by language which Elizabeth would have done better to have left unspoken. “She is careful of your Majesty’s welfare,” the Bishop of Ross told his mistress, “and nothing content of your subjects who are declined from your obedience: she says your rebels in Scotland are not worthy to live: I perceive your good sister and all the nobility here be more careful of your honour, weal, and advancement than I ever perceived them before.”³

The difficulty was the treaty of Leith. The ratification was the price which the Queen of Scots had all

¹ Mary Stuart had been careful to keep up the hopes of her possible conversion among those about her, although to Catholics, English and foreign, she always insisted on her orthodoxy. It is frightful to think what she must have suffered. “My Lord of Shrewsbury,” writes Sir Thomas Gargrave on the 3d of April, “hath provided that the said Queen hath heard weekly all this Lent three sermons — every Sunday, Wednesday, and Friday one — wherein she hath been very well persuaded to the reading of Scriptures, and she is, as I am advertised, very attentive at the sermons, and doth not lose one.” — *Cotton MSS., Calig. B. IX. fol. 383.*

² Consideration of the matters of the Queen of Scots, May 1, 1569. In Cecil’s hand: *MS. Ibid., Calig. C. 1.*

³ The Bishop of Ross to Mary Stuart, May 2: *MSS. Queen of Scots.*

along determined to pay for the recognition of her place in the succession. The Bishop told Elizabeth that she would submit the question to the King of Spain; if Philip decided against her she would yield. That a proposal so preposterous should have been brought forward at all showed the measure of her confidence. She believed Elizabeth was a fool, on whom she might play as upon an instrument.

As Elizabeth was obstinate, she thought that a sudden illness might produce an effect upon her; and writing to La Mothe Fénelon to present a sharp demand for her release, she professed to be seized with symptoms of the same disorder which had so nearly killed her at Jedburgh.¹ They were harmless, being the result merely of pills, but she had calculated justly on the alarm of the Queen of England, who dreaded nothing so much as any serious illness of her prisoner which the world would attribute to poison.² Cecil and Bacon did their utmost to modify their mistress's anxiety, but the stream was too strong for them. In one way or the other she was determined to wash her hands of the nuisance which was clinging to them. She told the Bishop of Ross that "she could not of her honour nor friendly and loving duty suffer the Queen her good sister to perish without help:" the resignation at Lochleven had been extorted by force, and should be treated as if it had no existence. If she would not ratify the treaty of Leith, it should not be insisted on; if Murray's Regency was unpalatable to her, it might be terminated: she must

¹ Mary Stuart to the Bishop of Ross and La Mothe, May 10: Labanoff, Vol. II.

² "La dolencia de la Reyna de Escocia fué fingida para mover al animo de esta Reyna, y habia hecho buen efecto con ella segun el obispo me dice." Don Guerau to Alva, June 1.

over the Bann, wasting the country all along the river side. Allaster M'Connell, like some chief of Sioux Indians, sent to the Captain of Knockfergus an account of the cattle that he had driven, and "the wives and bairns" that he had slain.¹ Like swarms of angry hornets, these avenging savages drove their stings into the now maddened and desperate Shan, on every point where they could fasten; while in December the old O'Donnell came out over the mountains from Donegal, and paid back O'Neil with interest for his stolen wife, his pillaged country, and his own long imprisonment and exile. The tide of fortune had turned too late for his own revenge: worn out with his long sufferings, he fell from his horse at the head of his people with the stroke of death upon him; but before he died he called his kinsmen about him and prayed them to be true to England and their Queen; and Hugh O'Donnell, who succeeded to his father's command, went straight to Derry and swore allegiance to the English crown.

Tyrone was now smitten in all its borders. Magennis was the last powerful chief who still adhered to Shan's fortunes; the last week in the year Sidney carried fire and sword through his country and left him not a hoof remaining. It was to no purpose that Shan, bewildered by the rapidity with which disasters were piling themselves upon him, cried out now for pardon and peace; the Deputy would not answer his letter, and "nothing was talked of but his extirpation by war only."²

A singular tragedy interrupted for a time the tide

¹ Allaster M'Connell to the Captain of Knockfergus; enclosed in a letter of R. Piers to Sir H. Sidney, December 15: *Irish MSS. Rolls House*.

² Sidney to the English Council, January 18: *MS. Ibid.*

December.
The Scots
attack
O'Neil.

of English success, although the first blows had been struck by so strong a hand that Shan could not rally from them. The death of Randolph had left the garrison at Derry as — in the words of one of them — a headless people.¹ Food and clothing fell short, and there was no longer foresight to anticipate or authority to remedy the common wants of troops on active service. Sickness set in. By the middle of November “the flux was reigning among them wonderfully.”² Strong men soon after were struck suddenly dead by a mysterious disorder which no medicine would cure and no precaution would prevent. It appeared at last that either in ignorance or carelessness they had built their sleeping quarters over the burial ground of the Abbey, and the clammy vapour had stolen into their lungs and poisoned them. As soon as their distress was known, supplies in abundance were sent from England; but the vices of modern administration had already infected the public service, and a cargo of meal destined for the garrison of Derry went astray to Florida. No subordinate officer ventured to take the vacant command. “Many of our best men,” Captain Vaughan wrote a few days before Christmas, “go away because there is none to stay them; many have died: God comfort us!”³

Colonel St. Loo came at last in the beginning of the new year. The pestilence for a time abated, and the spirits of the men revived. St. Loo, to quicken their blood, led them at once into the enemy’s country; they returned after a foray of a few days driving before them seven hundred horses and a thousand

¹ Geoffrey Vaughan to Admiral Winter, December 18: *Irish MSS. Rolls House*.

² Wilfred to Cecil, November 15: *MS. Ibid.*

³ Vaughan to Winter, December 18: *MS. Ibid.*

cattle; ¹ and the Colonel wrote to Sidney to say that with three hundred additional men "he could so hunt the rebel that ere May was past he should not show his face in Ulster." ²

Harder pressed than ever, Shan O'Neil, about the time when the Queen of Scots was bringing her matrimonial difficulties to their last settlement, made one more effort to gain allies in France. ^{February. O'Neil struggles to recover himself.} This time he wrote, not to the King, but to the Cardinals of Lorraine and Guise, imploring them in the name of their great brother the Duke, who had raised the cross out of the dust where the unbelieving Huguenots were trampling it, to bring the fleur-de-lys to the rescue of Ireland from the grasp of the ungodly English. "Help us!" he cried, blending — Irish like — flattery with entreaty. "When I was in England I saw your noble brother the Marquis d'Elbœuf transfix two stags with a single arrow. If the Most Christian King will not help us, move the Pope to help us. I alone in this land sustain his cause." ³

As the ship laboured in the gale the unprofitable cargo was thrown overboard. Terence Daniel, relieved of his crozier, went back to his place among the troopers; Creagh was accepted in his place, and taken into confidence and into Shan's household; all was done to deserve favour in earth and heaven, but all was useless. The Pope sat silent, or muttering his anathemas with bated breath; the Guises had too much work on hand at home to heed the Irish wolf, whom the English, having in vain attempted to trap or poison, were driving to bay with more lawful weapons.

¹ St. Loo in his despatch says 10,000. He must have added one cipher at least. — St. Loo to Sidney, February 8: *Irish MSS. Rolls House.*

² *Ibid.*

³ Shan O'Neil to the Cardinals of Lorraine and Guise, 1567: *MS Ibid.*

Success or failure, however, was alike to the doomed garrison of Derry. The black death came back among them after a brief respite, and to the reeking vapour of the charnel-house it was indifferent whether its victims returned in triumph from a stricken field, or were cooped within their walls by hordes of savage enemies. By the middle of March there were left out of eleven hundred men but three hundred available to fight. Reinforcements had been raised at Liverpool, but they were countermanded when on the point of sailing: it was thought idle to send them to inevitable death. The English Council was discussing the propriety of removing the colony to the Bann, when accident finished the work which the plague had begun, and spared them the trouble of deliberation. The huts and sheds round the monastery had been huddled together for the convenience of fortification. At the end of April, probably after a drying east wind, a fire broke out in a blacksmith's forge, which spread irresistibly through the entire range of buildings. The flames at last reached the powder magazine: thirty men were blown in pieces by the explosion; and the rest, paralyzed by this last addition to their misfortunes, made no more effort to extinguish the conflagration. St. Loo, with all that remained of that ill-fated party, watched from their provision boats in the river the utter destruction of the settlement which had begun so happily, and then sailed drearily away to find a refuge in Knockfergus.

March.
The settle-
ment at
Derry
finally
ruined.

Such was the fate of the first effort for the building of Londonderry; and below its later glories, as so often happens in this world, lay the bones of many a hundred gallant men who lost their lives in laying its foundations. Elizabeth, who in the immediate pressure of

calamity resumed at once her nobler nature, "perceiving the misfortune not to come of treason but of God's ordinance, bore it well;" "she was willing to do that which should be wanting to repair the loss;"¹ and Cecil was able to write cheerfully to Sidney, telling him to make the best of the accident and let it stimulate him to fresh exertions.²

Happily the essential work had been done already, and the ruin of Derry came too late to profit Shan. His own people, divided and dispirited, were mutinying against a leader who no longer commanded success. In May a joint movement was concerted between Sidney and the O'Donnells, and while the Deputy with the light horse of the Pale overran Tyrone and carried off three thousand cattle, Hugh O'Donnell came down on Shan on the river which runs into Lough Foyle. The spot where the supremacy of Ulster was snatched decisively from the ambition of the O'Neils, is called in the despatches Gaviston. The situation is now difficult to identify. It was somewhere perhaps between Lifford and Londonderry, on the west side of the river.

Conscious that he was playing his last card, Shan had gathered together the whole of his remaining force, and had still nearly three thousand men with him. The O'Donnells were fewer in number; but victory, as generally happens, followed the tide in which events were setting. After a brief fight the O'Neils broke and fled; the enemy was behind them, the river was in front; and when the Irish battle-cries had died away over moor and mountain, but two hundred survived of those fierce troopers who were to have

Final defeat
of the
O'Neils.

¹ Cecil to Leicester, May, 1567: *Irish MSS. Rolls House*.

² "Et contra audentior ito." — Cecil to Sidney, May 13: *MS. Ibid.*

cleared Ireland forever from the presence of the Saxons. For the rest, the wolves were snarling over their bodies, and the sea-gulls wheeling over them with scream and cry as they floated down to their last resting-place beneath the quiet waters of Lough Foyle. Shan's "foster brethren," faithful to the last, were all killed; he himself, with half a dozen comrades, rode for his life, pursued by the avenging furies; his first desperate intention was to throw himself at Sidney's feet, with a slave's collar upon his neck; but his secretary, Neil M'Kevin, persuaded him that his cause was not yet absolutely without hope.

Surlyboy was still a prisoner in the castle at Lough Neagh; "the Countess of Argyle" had remained with her ravisher through his shifting fortunes, had continued to bear him children, and notwithstanding his many infidelities was still attached to him. M'Kevin told him that for their sakes, or at their intercession, he might find shelter and perhaps help among the kindred of the M'Connells.¹

In the far extremity of Antrim, beside the falls of Isnaleara, where the black valley of Glenariff opens out into Red Bay, sheltered among the hills and close upon the sea, lay the camp of Allaster M'Connell and his nephew Gillespie. Here on Saturday, the last of May, appeared Shan O'Neil, with M'Kevin Flight and death of Shan. and some fifty men. He had brought the

Countess and his prisoner as peace offerings: he alighted at Allaster's tent, and threw himself on his hospitality; and though the blood of the M'Connells was fresh on his hands he was received "with dissembled gratulatory words." The feud seemed to be buried in the restoration of Surlyboy; an alliance was

¹ Attainder of Shan O'Neil: *Irish Statute Book*, 11 Eliz.

again talked of, and for two days all went well. But the death of their leaders in the field was not the only wrong which Shan had offered to the Western Islanders: he had divorced James M'Connell's daughter; he had kept a high-born Scottish lady with him as his mistress; and last of all, after killing M'Connell he had asked Argyle to give him M'Connell's widow for a wife. The lady herself, to escape the dishonour, had remained in concealment in Edinburgh; but the mention of it had been taken as a mortal insult by her family.

The third evening, Monday the 2d of June, after supper, when the wine and the whiskey had gone freely round, and the blood in Shan's veins had warmed again, Gillespie M'Connell, who had watched him from the first with an ill-boding eye, turned round upon M'Kevin and asked scornfully "whether it was he who had bruited abroad that the lady his aunt did offer to come from Scotland to Ireland to marry with his master?"

M'Kevin, meeting scorn with scorn, said "that if his aunt was Queen of Scotland she might be proud to match the O'Neil."

"It is false!" the fierce Scot shouted; "my aunt is too honest a woman to match with her husband's murderer."

Shan, who was perhaps drunk, heard the words; and forgetting where he was, flung back the lie in Gillespie's throat. Gillespie sprung to his feet, ran out of the tent, and raised the slogan of the Isles. A hundred dirks flashed into the moonlight, and the Irish, wherever they could be found, were struck down and stabbed. Some two or three found their horses and escaped; all the rest were murdered; and Shan him-

self, gashed with fifty wounds, was "wrapped in a kern's old shirt" and flung into a pit dug hastily among the ruined arches of Glenarm.

Even there what was left of him was not allowed to rest; four days later Piers, the captain of Knockfergus, hacked the head from the body, and carried it on a spear's point through Drogheda to Dublin, where staked upon a spike it bleached on the battlements of the castle, a symbol to the Irish world of the fate of Celtic heroes.¹

So died Shan O'Neil, one of those champions of Irish nationality, who under varying features have repeated themselves in the history of that country with periodic regularity. At once a drunken ruffian and a keen and fiery patriot, the representative in his birth of the line of the ancient kings, the ideal in his character of all which Irishmen most admired, regardless in his actions of the laws of God and man, yet the devoted subject in his creed of the Holy Catholic Church; with an eye which could see far beyond the limits of his own island, and a tongue which could touch the most passionate chords of the Irish heart; the like of him has been seen many times in that island, and the like of him may be seen many times again, "till the Ethiopian has changed his skin and the leopard his spots."

Many of his letters remain, to the Queen, to Sussex, to Sidney, to Cecil, and to foreign princes; far-reaching, full of pleasant flattery and promises which cost him nothing; but showing true ability and insight. Sinner though he was, he too in his turn was sinned against; in the stained page of Irish misrule there is no second instance in which an English ruler stooped

¹ Sir William Fitzwilliam to Cecil, June 10: *Irish MSS. Rolls House.*

to treachery or to the infamy of attempted assassination ; and it is not to be forgotten that Lord Sussex, who has left under his own hand the evidence of his own baseness, continued a trusted and favoured councillor of Elizabeth, while Sidney, who fought Shan and conquered him in the open field, found only suspicion and hard words.

How just Sidney's calculations had been, how ably his plans were conceived, how bravely they were carried out, was proved by their entire success, notwithstanding the unforeseen and unlikely calamity at Londonderry. In one season Ireland was reduced for the first time to universal peace and submission. While the world was full of Sidney's praises Elizabeth persevered in writing letters to him which Cecil in his own name and the name of the Council was obliged to disclaim. But at last the Queen too became gradually gracious ; she condescended to acknowledge that he had recovered Ireland for her Crown, and thanked him for his services.

CHAPTER XII.

It is the purpose of this chapter to trace the first movements of the struggle which transferred from Spain to England the sovereignty of the seas; the first beginnings of that proud power which, rising out of the heart of the people, has planted the saplings of the English race in every quarter of the globe, has covered the ocean with its merchant fleets, and flaunts its flag in easy supremacy among the nations of the earth.

In the English nature there were and are two antagonistic tendencies — visible alike in our laws, in our institutions, in our religion, in our families, in the thoughts and actions of our greatest men: a disposition on the one hand to live by rule and precedent, to distrust novelties, to hold the experience of the past as a surer guide than the keenest conclusions of logic, and to maintain with loving reverence the customs, the convictions, and traditions which have come down to us from other generations: on the other hand, a restless, impetuous energy, inventing, expanding, pressing forward into the future, regarding what has been already achieved only as a step or landing-place leading upwards and onwards to higher conquests — a mode of thought which in the half-educated takes the form of a rash disdain of earlier ages, which in the best and wisest creates a sense that we shall be unworthy of our ancestors if we do not eclipse them

in all that they touched, if we do not draw larger circles round the compass of their knowledge, and extend our power over nature, over the world, and over ourselves.

In healthy ages as in healthy persons the two tendencies coexist, and produce that even progress, that strong vitality at once so vigorous and so composed, which is legible everywhere in the pages of English history. Under the accidental pressure of special causes one or other disposition has for a time become predominant, and intervals of torpor and inactivity have been followed by a burst of license, when in one direction or another law and order have become powerless; when the people, shaking themselves free from custom, have hurried forward in the energy of their individual impulses, and new thoughts and new inclinations, like a rush of pent-up waters, have swept all before them.

Through the century and a half which intervened between the death of Edward the Third and the fall of Wolsey, the English sea-going population, with but few exceptions, had moved in a groove, in which they lived and worked from day to day and year to year with unerring uniformity. The wine brigs made their annual voyages to Bordeaux and Cadiz; the hoys plied with such regularity as the winds allowed them between the Scheldt and the Thames; summer after summer the "Iceland fleet" went north for the cod and ling, which were the food of the winter fasting days; the boats of Yarmouth and Rye, Southampton, Poole, Brixham, Dartmouth, Plymouth, and Fowie fished the Channel. The people themselves, though hardy and industrious, and though as much at home upon

Stationary
character of
English
marine
before the
sixteenth
century.

the ocean as their Scandinavian forefathers or their descendants in modern England, were yet contented to live in an unchanging round from which they neither attempted nor desired to extricate themselves. The number of fishermen who found employment remained stationary; the produce of their labour supported their families in such comforts as they considered necessary. The officials of the London companies ruled despotically in every English harbour; not a vessel cleared for a foreign port, not a smack went out for the herring season, without the official license; and the sale of every bale of goods or every hundredweight of fish was carried on under the eyes of the authorities, and at prices fixed by Act of Parliament.

To men contented to be so employed and so rewarded, it was in vain that Columbus held out as a temptation the discovery of a New World; it was in vain that foreigners guided English ships across the Atlantic and opened out the road before their eyes. In 1497 John Cabot, the Venetian, with his son Sebastian — then a little boy — sailed from Bristol for “the Islands of Cathay.” He struck the American continent at Nova Scotia, sailed up into the Greenland seas till he was blocked by the ice, then coasted back to Florida, and returned with the news of another continent waiting to be occupied. The English mariners turned away with indifference; their own soil and their own seas had been sufficient for the wants of their fathers; “their fathers had more wit and wisdom than they;” and it was left to Spain, in that grand burst of energy which followed on the expulsion of the Moors and the union of the Crowns, to add a hemisphere to the globe and found empires in lands beyond the sunset.

*Voyage of
John Cabot.*

Strange indeed was the contrast between the two races, and stranger still the interchange of character, as we look back over three hundred years. Before the sixteenth century had measured half its course the shadow of Spain already stretched beyond the Andes; from the mines of Peru and the custom-houses of Antwerp the golden rivers streamed into her imperial treasury; the crowns of Arragon and Castile, of Burgundy, Milan, Naples, and Sicily, clustered on the brow of her sovereigns; and the Spaniards themselves, before their national liberties were broken, were beyond comparison the noblest, grandest, and most enlightened people in the known world.

The spiritual earthquake shook Europe: the choice of the ways was offered to the nations; on the one side liberty, with the untried possibilities of anarchy and social dissolution; on the other, the reinvigoration of the creeds and customs of ten centuries, in which Christendom had grown to its present stature.

Fools and dreamers might follow their *ignis fatuus* till it led them to perdition: the wise Spaniard took his stand on the old ways. He too would have his reformation, with an inspired Santa Teresa for a prophetess, an army of ascetics to combat with prayer the legions of the evil one, a most holy Inquisition to put away the enemies of God with sword and dungeon, stake and fire. That was the Spaniard's choice, and his intellect shrivelled in his brain, and the sinews shrank in his self-bandaged limbs; and only now at last, with such imperfect deliverance as they have found in French civilization and Voltairian philosophy, is the life-blood stealing again into the veins of the descendants of the conquerors of Granada.

Greatness
of Spain in
the six-
teenth
century.

The Ref-
ormation.

Meanwhile a vast intellectual revolution, of which the religious reformation was rather a sign than a cause, was making its way in the English mind. The discovery of the form of the earth and of its place in the planetary system, was producing an effect on the imagination which long familiarity with the truth renders it hard for us now to realize. The very heaven itself had been rolled up like a scroll, laying bare the illimitable abyss of space; the solid frame of the earth had become a transparent ball, and in a hemisphere below their feet men saw the sunny Palm Isles and the golden glories of the tropic seas. Long impassive, long unable from the very toughness of their natures to apprehend these novel wonders, indifferent to them, even hating them as at first they hated the doctrines of Luther, the English opened their eyes at last. In the convulsions which rent England from the Papacy a thousand superstitions were blown away; a thousand new thoughts rushed in, bringing with them their train of new desires and new emotions; and when the fire was once kindled, the dry wood burnt fiercely in the wind.

Having thrown down the gauntlet to the Pope, Henry the Eighth had to look to the defences of the kingdom; and knowing that his best security lay in the command of the "broad ditch," as he called it, which cut him off from Europe, he turned his mind with instant sagacity to the development of the navy. Long before indeed, when Anne Boleyn was a child, and Wolsey was in the zenith of his greatness, and Henry was the Pope's "Defender of the Faith," he had quickened his slumbering dockyards into life, studied naval architecture, built ships on new models, and cast unheard-of cannon.

First expansion of the English navy.

Giustiniani in 1518 found him practising at Southampton with his new brass artillery. The "Great Harry" was the wonder of Northern Europe; and the fleet afterwards collected at Spithead, when D'Annebault brought his sixty thousand Frenchmen to the Isle of Wight, and the "Mary Rose" went down under Henry's eyes, was the strongest, proudest, and best formed which had yet floated in English waters.

The mariners and merchants had caught the impulse of the time. In 1530, when the divorce question was in its early stages, Mr. William Hawkins of Plymouth, "a man for his wisdom, valour, experience, and skill of sea causes much esteemed and beloved of King Henry the Eighth," "armed out a tall and goodly ship," sailed for the coast of Guinea, where he first trafficked with the negroes for gold dust and ivory, and then crossed the Atlantic to Brazil, "where he behaved himself so wisely with the savage people" that "the King of Brazil" came back with him to see the wonders of England, and was introduced to Henry at Whitehall. The year after Hawkins went back again, and "the King" with him; the King on the passage home died of change of air, bad diet, and confinement; and there were fears for the Englishmen who had been left as hostages among the Indians. But they were satisfied that there had been no foul play; they welcomed Englishmen as cordially as they hated the Spaniards; and a trade was opened which was continued chiefly by the merchants of Southampton.

In 1549 Sebastian Cabot, who in his late manhood had returned to Bristol, was appointed by Edward the Sixth Grand Pilot of England; and as enterprise expanded with freedom and with the cracking up of su-

Voyage of
William
Hawkins to
Brazil.

perstition, the merchant adventurers who had started up in London on principles of free trade, The merchant adventurers. and who were to the established guilds as the Protestants to the Catholic bishops, sent their ships up the Straits to the Levant, explored the Baltic, and had their factors at Novgorod. In 1552 Captain Windham of Norfolk followed William Hawkins to the coast of Guinea; and again in 1553, with African discovery. Antonio Pinteado, he led a second expedition to the Bight of Benin, and up the river to the court of the King. The same year the noble Sir Hugh Willoughby, enchanted like John Cabot with visions of "the Islands of Cathay," sailed in search of them into the Arctic circle, turned eastward into the frozen seas, and perished in the ice.

But neither the "frost giants" of the north nor the deadly vapours of the African rivers could quell the spirit which had been at last aroused. Windham and Pinteado died of fever in the Benin waters; and of a hundred and forty mariners who sailed with them, forty only ever saw Ramhead and Plymouth Sound again; but the year following John Lok was tempted to the same shores by the ivory and gold dust; and he — first of Englishmen — discovering that the negroes "were a people of beastly living, without Beginnings of the English slave trade God, law, religion, or commonwealth," gave some of them the opportunity of a lift in creation, and carried off five as slaves.

It is noticeable that on their first appearance on the west coast of Africa, the English visitors were received by the natives with marked cordiality. The slave trade hitherto had been a monopoly of The Portuguese on the African coast. the Spaniards and Portuguese; it had been established in concert with the native chiefs, as a

means of relieving the tribes of bad subjects, who would otherwise have been hanged. Thieves, murderers, and such like, were taken down to the dépôts and sold to the West Indian traders.¹ But the theory, as was inevitable, soon ceased to correspond with the practice; to be able-bodied and helpless became a sufficient crime to justify deportation; the Portuguese stations became institutions for an organized kidnapping; and when the English vessels appeared they were welcomed by the smaller negro tribes as more harmless specimens of the dangerous white race. But the theft of the five men made them fear that the new comers were no better than the rest; the alarm was spread all along the coast, and Towrson, a London merchant, found his voyage the next year made unprofitable through their unwillingness to trade. The injury was so considerable, and the value of the slaves in England so trifling, that they were sent back; and the captain who took them home was touched at the passionate joy with which the poor creatures were welcomed.

Thus it was that the accession of Elizabeth found commerce leaving its old channels and stretching in a thousand new directions. While the fishing trade was ruined by the change of creed, a taste came in for luxuries undreamt of in the simpler days which were passing away. Statesmen accustomed to rule the habits of private life with sumptuary laws, and to measure the imports of the realm by their own conceptions of the necessities of the people, took alarm at the inroads upon

¹ "When they (the negroes of the Rio Grande) sit in council in the consultation-house, the king or captain sitteth in the midst and the elders upon the floor by him (for they give reverence to their elders), and the common sort sit round about them. There they sit to examine matters of theft, which if a man be taken with, to steal but a Portugal cloth from another, he is sold to the Portugal for a slave." — Hakluyt, Vol. III. p. 599.

established ways and usages, and could see only "a most lamentable spoil to the realm, in the over quantity of unnecessary wares brought into the port of London."¹

From India came perfumes, spices, rice, cotton, indigo, and precious stones; from Persia and Turkey carpets, velvets, satins, damasks, cloth of gold, and silk robes "wrought in divers colours."² Russia gave its ermines and sa-
The foreign trade of England at the accession of Elizabeth.
bles, its wolf and bear skins, its tallow, flax, and hemp, its steel and iron, its ropes, cables, pitch, tar, masts for ships, and even deal boards. The New World sent over sugar, rare woods, gold, silver, and pearls; and these, with the pomegranates, lemons, and oranges, the silks and satins, the scented soaps and oils, and the fanciful variety of ornaments which was imported from the south of Europe, shocked the austere sense of the race of Englishmen who had been bred up in an age when heaven was of more importance than earthly pleasure. Fathers were filled with panic for the morals of their children, and statesmen trembled before the imminent ruin of the realm.³

¹ List of articles entered from abroad in the Port of London in the second year of Queen Elizabeth. — *Domestic MSS. Rolls House*. Note of commodities brought into the realm in the year 1564. — *MS. Ibid.*

² The Eastern trade was carried on either through Russia and Poland or else through Turkey and the Levant.

³ It appears from the customs entries that the heaviest foreign trade was in canvas, linen, cloth, wood, oil, and wines. The total value of the wine entered at the Port of London alone, in the year 1559, was 64,000*l.*; the retail selling price being then on an average sevenpence a gallon. The iron trade with Sweden, Russia, and Spain was considerable; and strange to say, the English then depended on foreign manufacturers for their knives, their nails, their buttons, and even their pins and needles. Hops stand at a large figure, and so does sugar. Among miscellaneous articles are found dolls, tennis-balls, cabbages, turnips, tape and thread, glasses, hats, laces, marmalade, baskets, and rods for baskets. — *Domestic MSS. Rolls House*.

To pay for these new introductions England had little to spare except its wool, its woollen cloths, and fustians. It was true that the demand which was opened out abroad for these things quickened production at home, and the English woollen manufactures grew with the foreign trade ; but Cecil found no comfort in a partial prosperity which withdrew labour from agriculture, and tended to bring back or to support the great grazing farms, which it was a passion with English statesmen to limit or break up ; he was disturbed to observe that London was importing corn ; and in a paper of notes on the phenomena which he saw around him, he added as a fact to be remarked and remembered, "that those who depend upon the making of cloths are of worse condition to be quietly governed than the husbandmen."¹ He dreaded, further, the supposed fatal effect of an export of gold, as the necessary consequence of an over-rapid growth of commerce ; and he could see no remedy save to "abridge" by Act of Parliament "the use of such foreign commodities as were not necessary," "whereof the excess of silks was one," "excess of wine and spices another." The great consumption of wine especially "enriched France, whose power England ought not to increase ;" "the multiplying of taverns was an evident cause of disorder amongst the vulgar, who wasted there the fruits of their daily labour, and committed all evils which accompany drunkenness." Anticipating the language of the modern Protectionist, Cecil thought it was an ill policy to encourage manufactures at the expense of tillage, when war might at any time throw the country back upon its own resources.

¹ Notes on the state of trade, October, 1564. In Cecil's hand: *Domestic MSS. Rolls House.*

Another strange fact, at first sight utterly inexplicable, perplexed Elizabeth's ministers. Along with the increase of the foreign trade the "port towns of the realm had been steadily decaying;" harbours, which at the beginning of the century "had been well furnished with ships and mariners," were left with "but a few boats and barges. "It needeth no proof," wrote Cecil in 1566,¹ "that more wine is drunk now than in former times; let men that keep households remember whether commonly they spend not more wines than their grandfathers, yea, percase, than themselves within twelve years; let all noblemen compare their household books with their ancestors', and it will be as manifest as can be that England spendeth more wines in one year than it did in antient times in four years."

Other imports from foreign countries had increased almost in the same proportion; and yet the ports were sinking, and the navy dwindling away.

There were several causes. Much of the common carrying trade was done by the French and Flemings; English enterprise was engaged in expeditions of a different kind, to which I shall presently refer. Another immediate and most important occasion was the cessation of the demand for fish.

"In old time," (I again quote from Sir William Cecil),² "no flesh at all was eaten on fish days; even the King could not have license; which was occasion of eating so much fish as now is eaten in flesh upon fish days." In the recoil from the involuntary asceticism, beef and mutton reigned exclusively on all tables; and "to detest fish" in all shapes and forms had become a

¹ Trade notes: *Domestic MSS. Eliz.*, Vol. XLI. *Rolls House*.

² Notes upon an Act for the increase of the navy, 1563: *Domestic MSS. Rolls House*.

"note" of Protestantism. The Act of Edward,¹ prescribing "due and godly abstinence as a means to virtue to subdue men's bodies to their soul and spirit," had been laughed at and trampled on; and thus it was that the men who used to live "by the trade and mystery of fishing" had to seek some other calling. Instead of the Iceland fleet of Englishmen which used to supply Normandy and Brittany as well as England, "five hundred French vessels,"² with from thirty to forty men in each of them," went annually to Newfoundland; and even the home fisheries fell equally into the hands of strangers. The Yarmouth waters were "occupied by Flemings and Frenchmen," "the narrow seas by the French," "the western fishing for hake and pilchard by a great navy of French within kenning of the English shores." "The north parts of Ireland, and especially the Bann, within ten years, was in farm of the merchants of Chester; and now both the herring and salmon fishing was in the hands of the Scots;" "the south part of Ireland was yearly fished by the Spaniards;" "so that England was besieged round about with foreigners, and deprived of the substance of the sea fishing, being as it appeared by God's ordinance peculiarly given to the same; and more regard had how to entice merchants and mariners to a further trade, to employ themselves to carry treasure into France, and from that to overburden the realm with wines, rather than to recover their antient natural possession of their own seas and at their own doors, in which kind of trade men were made meet to abide storms and become common mariners than by sailing of ships to Rouen or Bourdeaux."³

¹ 2 & 3 Edward VI. cap. 19.

² Sic.

³ Trade notes: *Domestic MSS. Eliz.*, Vol. XLI. *Rolls House*.

So wrote the most farsighted of English statesmen ; and knowing that the safety of England depended upon its fleet, and that " to build ships without men to man them was to set armour upon stakes on the sea shore,"¹ of " means to encourage mariners " he could see but three.

First, " Merchandize ; "

Second, " Fishing ; "

And thirdly, " The exercise of piracy, which was detestable, and could not last." ²

It will be seen that " piracy " could last ; that buccaneering in some irregular combination with trade and religion, not only would be one among other means, but the very source and seed-vessel from which the naval power of England was about to rise.

But Cecil, who believed in God in a commonplace manner, and had been bred up in old-fashioned objections to " the water-thieves," could not persuade himself that good would come of them. Trade was already overgrown, and so far as he could judge was on the way to become entirely ruinous. The only remedies, therefore, which he could think of were, first, " a navigation law," laying foreign vessels under disabilities ; and secondly, to force once more " a politic ordinance on fish eating " through an unwilling and contemptuous House of Commons. In the Parliament of 1562-63 he brought in a Bill³ to make the eating of flesh on Fridays and Saturdays a misdemeanour, punishable by a fine of three pounds or three months' imprisonment ; and, as if this was not enough, adding Wednesday as a subsidiary half-fish day, on which " one dish of flesh might be

Cecil's fast.

¹ Trade notes: *Domestic MSS. Eliz.*, Vol. XLI. *Rolls House*.

² *Ibid*.

³ 5 Eliz. cap. 4, 5.

allowed, provided there were served at the same table and at the same meal three full, competent, usual dishes of sea fish of sundry kinds, fresh or salt."

"The House of Commons," Cecil admitted, "was very earnest against him;" he carried his measure only by arguing that if the Bill was passed, it would be almost inoperative: "labourers and poor householders could not observe it," he said, "and the rest by license or without license would do as they would;"¹ while to satisfy the Puritans he was obliged to add the ludicrous provision that, "because no person should misjudge the intent of the statute, which was politicly meant only for the increase of fishermen and mariners, and not for any superstition for choice of meats, whoever should preach or teach that eating of fish or forbearing of flesh was for the saving of the soul of man or for the service of God, should be punished as the spreader of false news."²

How powerless such an Act must have been to stem the stream of popular tendency it is needless to say. Cecil, however, had at all events shown an honourable detestation of the wild piratical doings which were fast spreading; and if events proved too strong for him, he had delivered his own soul.

According to some persons the notion of property is a conventional creation of human society. The beast of prey refuses to the fat, sweet, juicy animal which cannot defend itself a right of property in its own flesh; among savages there is no right but of strength; in more advanced stages of civilization the true believer, Israelite or Mahometan, spoils the hea-

¹ Arguments in the House of Commons, February, 1562-63. Cecil's hand: *Domestic MSS. Eliz.*, Vol. XXVII.

² Clause to be added to the Fisheries Act, 5 Eliz. cap. 4, 5. In Cecil's hand: *MS. Ibid.*

then without remorse, of lands, goods, liberty, and life. Ulysses, a high-bred gentleman, the friend of the gods, roves the seas with his mariners, sacks unguarded towns, and kills the unlucky owners who dare to defend themselves : Rob Roy lives on Lowland cattle-lifting without forfeiting romantic sympathy. The more advanced philosophers indeed maintain that property itself is the only true theft, and that the right of man "to call anything his own" will disappear again as the wheel comes full round, in the light of a more finished cultivation.

"The ancient Greeks," says Thucydides, "even those not lowest in rank among them, when they first crossed the seas betook themselves to piracy. Falling on unprotected towns or villages they plundered them at their pleasure, and from this resource they derived their chief means of maintenance. The employment carried no disgrace with it, but rather glory and honour; and in the tales of our poets, when mariners touch anywhere, the common question is whether they are pirates—neither those who are thus addressed being ashamed of their calling, nor those who inquire meaning it as a reproach."

In the dissolution of the ancient order of Europe, and the spiritual anarchy which had reduced religion to a quarrel of opinions, the primitive tendencies of human nature for a time asserted themselves, and the English gentlemen of the sixteenth century passed into a condition which, with many differences, yet had many analogies with that of the Grecian chiefs. With the restlessness of new thoughts, new hopes, and prospects; with a constitutional enjoyment of enterprise and adventure; with a legitimate hatred of oppression, and a determination

The English gentlemen of the sixteenth century.

to revenge their countrymen who from day to day were tortured and murdered by the Inquisition; most of all perhaps, with a sense that it was the mission of a Protestant Englishman to spoil the Amalekites, — in other words the gold ships from Panama, or the richly laden Flemish traders, — the merchants at the sea-ports, the gentlemen whose estates touched upon the creeks and rivers, and to whom the sea from childhood had been a natural home, fitted out their vessels under the name of traders, and sent them forth armed to the teeth with vague commissions, to take their chance of what the gods might send.

Already in this history I have had occasion to describe how, in the unsettled state of England, young Catholics or Protestants, flying alternately from the
The privateers of the Channel. despotism of Edward and Mary, had hung about the French harbours, or the creeks and bays which indent the Irish coast, where they had gathered about them rough wild crews who cared nothing for creeds, but formed a motley and mixed community living upon plunder. Emerging when England was at war into commissioned privateers, on the return of peace they were disavowed and censured; but they were secured from effective pursuit by the weakness of the Government, and by the certainty that at no distant time their services would again be required. The “vain-glorious” Sir Thomas Seymour, finding too little scope at home for his soaring ambition, had dreamed of a pirate sovereignty among the labyrinths of Scilly. During the Marian persecution, Carews, Killigrews, Tremaynes, Strangeways, Throgmortons, Horseys, Cobhams — men belonging to the best families in England, became roving chiefs. On Elizabeth’s accession most of them came

back to the service of the Crown: Strangways, the Red Rover of the Channel, was killed on a sandbank in the Seine, leading volunteers to the defence of Rouen; "Ned Horsey," the ruffling cavalier of Arundel's, who had sung the catch of evil omen to priests and prelates, became Sir Edward Horsey, Governor of the Isle of Wight; the younger Tremayne was killed doing service at Havre; and Henry Killigrew became a confidential servant of Elizabeth, and one of her most trusted agents. But the lawless spirit had spread like a contagion, especially through the western counties; and the vast numbers of fishermen whose calling had become profitless had to seek some new employment. Though their leaders had left them, the pirate crews remained at their old trade; and gradually it came about that, as the modern gentleman keeps his yacht, so Elizabeth's loyal burghers, squires, or knights, whose inclination lay that way, kept their ambiguous cruisers, and levied war on their own account when the Government lagged behind its duty.

A fast Flemish trader has sailed from Antwerp to Cadiz; something happens to her on the way, and she never reaches her destination. At midnight carts and horses run down to the sea and over the sands at Lowestoft; the black hull and spars of a vessel are seen outside the breakers, dimly riding in the gloom; and a boat shoots through the surf loaded to the gunwale. The bales and tubs are swiftly shot into the carts; the horses drag back their loads, which before daybreak are safe in the cellars of some quiet manor-house; the boat sweeps off; the sails drop from the mysterious vessel's yards, and she glides away into the darkness to look for a fresh victim.¹

¹ Piracy at Lowestoft, April, 1561: *Domestic MSS. Eliz.*, Vol. XVI.

Another rich trader has run the gauntlet of the Channel; she is off the Land's End, and believes her danger is past. A low black lugger slips out from among the rocks, runs alongside, and grapples her bulwarks; the buccaneers swarm upon her decks — English, French — “twenty wild kerns with long skeens and targets,” “very desperate and unruly persons without any kind of mercy;”¹ the ship is sent to Kinsale or Berehaven, or to the bottom of the sea, as she sails fast or ill; the crew, if they escape murder, are thrust on shore at the nearest point of the coast of France.²

The rovers were already venturing into lower latitudes in search of richer prizes. In May, 1563, a galleon was waylaid and plundered at Cape St. Vincent by two small evil-looking vessels, recognized as English by the flights of arrows which drove the Spaniards from the decks;³ while again the Spanish ships of war provoked a repetition of such outrages by their clumsy and awkward reprisals.

About the same time the Indian fleet coming into the Azores found five brigs from Bristol and Barnstable loading with wood. The Englishmen were getting under weigh as the Spanish Admiral, Pedro Melendez, entered the harbour. They neglected to salute, and in half insolence carried the St. George's cross at the main. Melendez instantly gave chase. “Down with

¹ Piracy at the Land's End: *Domestic MSS. Eliz.*, Vol. XL.

² Illustrating these scenes, we find a petition to the Crown in 1563 from the mayor and bailiff of Cork for artillery and powder, “their harbour being so beset with pirates, rovers, and other malefactors, whom they had no strength to beat off.” — *Irish MSS. Rolls House*.

³ The mariners say plainly that they were Englishmen, for that they shot so many arrows that they were not able to look out.” — Hugh Tipton to Sir T. Chaloner, June 1, 1563: *Spanish MSS. Rolls House*.

your flags, ye English dogs! ye thieves and pirates!" he shouted, as he ran into the midst of them, firing right and left. The crews were thrown into irons; the ships and cargoes were taken into Cadiz and confiscated. The English ambassador appealed to Philip; the case was inquired into, and the innocent character of the vessels was perfectly established. But when the owners applied to have their property restored to them, Melendez had made it over to the Inquisition; the Inquisition had sold it; and the crews were at last glad to depart with their empty vessels, having suffered nothing worse than six months' imprisonment on bread and water in the gaol at Seville.¹

The Inquisition had the management of the Spanish harbours, and the Englishman was to be considered fortunate who extricated himself alive from their hands. Though the English rovers were often common plunderers, yet there was a noble spirit at work at the bottom of their proceedings, which raised many of them into the wild ministers of a righteous revenge.

In August 1561 Thomas Nicholls, an English merchant resident in the Canaries, wrote thus to Elizabeth's ambassador at the court of Philip the Second:—

"Please your lordship to consider that I was taken prisoner by them of the Inquisition about twenty months past, and put into a little dark house about two paces long, laden with irons, without sight of sun or moon all the said time of twenty months.

"When I was arraigned they laid to my charge

¹ *Spanish MSS. Rolls House.*

The Inquisition.

Complaint of Thomas Nicholls.

that I should say our mass to be as good or better than theirs; also that I went not to mass; also that I should say I had rather give my money to the poor than to buy bulls of Rome with it: with other paltry inventions. I answered, proving the allegations untrue with many witnesses. Then they put me again in prison for a certain space, and alleged anew against me six or seven articles against our Queen's grace, saying her Majesty was enemy to the faith, and her Grace was preached to be the antichrist, and that her Grace did maintain "circumcision" and the Jewish law; and also a friar shook off the dust of his shoes against her and the city of London, with such abominable and untrue sayings. Then stood I to the defence of the Queen's Majesty's cause, proving the infamies to be most untrue. Then was I put in Little Ease again till the end of twenty months finished, protesting mine innocent blood against the judge to be demanded before Christ."¹

In the year 1563 the following petition was addressed to the Lords of Elizabeth's Council:—

Petition of
Dorothy
Seeley.
"In most lamentable wise showeth unto your honours your humble orator Dorothy Seeley, of the city of Bristol, wife to Thomas Seeley, of the Queen's Majesty's guard, that where her said husband upon most vile, slanderous, spiteful, malicious, and most villanous words spoken against the Queen's Majesty's own person by a certain subject of the King of Spain—here not to be uttered—not being able to suffer the same did flee upon the same slanderous person and gave him a blow—so it is, most honourable

¹ *Spanish MSS. Rolls House.*

Lords, that hereupon my said husband, no other offence in respect of their religion then committed, was secretly accused to the Inquisition of the Holy House, and so committed to most vile prison, and there hath remained now three whole years in miserable state with cruel torments. For redress whereof, and for the Queen's Majesty's letter to the King of Spain, your said suppliant was heretofore a humble suitor to the Queen's Majesty at Bristol in that progress; and her Majesty then promised to write and see redress. But whether her Majesty did by letter or by ambassadors after sent into Spain deal with the said King for redress I know not; but certain it is that my said husband, with divers others the Queen's subjects, remain yet in prison, without hope, without your honours' help to be delivered.¹ In tender consideration whereof and of the daily common tormenting of the Queen's Majesty's subjects, it may please your honours to grant your favourable earnest letters herein to the King of Spain — or rather to permit and suffer the friends of such her Majesty's subjects as be there imprisoned, afflicted, and tormented against all reason, to make out certain ships to the sea at their own proper charges, and to take such Inquisitors or other such Papistical subjects to the King of Spain as they can take by sea or land, and them to retain in prison in England with such torments and diet as her Majesty's subjects be kept with in Spain; and that it may please the Queen's Majesty withal, upon complaint to be made

¹ In the list of captains who accompanied Drake to the West Indies in his famous voyage of 1585-86, I find the name of Thomas Seeley in command of the "Minion." Perhaps it was the same man. It is more likely, however, that the husband of Dorothy Seeley was one of the many hundred English sailors who rotted away in the dungeons of the Inquisition, or were burnt to please the rabble of Valladolid, and that Drake's companion was a son bred up by his mother in deadly hatred of the Spanish race.

thereupon by the King of Spain or his subjects, to make such like answer as the King of Spain now maketh to her Majesty or her ambassador suing for her subjects imprisoned by force of the Inquisition.

“Or that it may please her Majesty to grant unto the Archbishop of Canterbury and other bishops, the like commission in all points for foreign Papists as the Inquisitors have in Spain for the Protestants, that thereby they may be forced not to trouble her subjects repairing to Spain, or that there may be hereupon an interchange of delivery of prisoners — of Protestants for the Papists; that the Queen’s Majesty’s subjects may be assured hereby that they have a Prince with such honourable Council that cannot nor will not longer endure such spoils and torments of her natural subjects, and such daily pitiful complaints hereabout; and that the Spaniard have not cause by the Queen’s Majesty’s long sufferance to triumph, or to think that this noble realm dare not seek the revenge of such importable wrongs daily done to this realm by daily spoiling her Majesty of the lives and goods of her good subjects; and consequently spoiling the realm of great force and strength. And your poor supplicant, with many others the Queen’s Majesty’s subjects, shall daily pray for your honours in health and felicity long to continue.”¹

Either as the afterthought of the writer, or as the comment of some person in authority, the following singular note was appended to Dorothy Seeley’s petition: —

“Long peace such as it is, by force of the Spanish Inquisition becometh to England more hurtful than open war. It is the secret and determined policy of

¹ Petition of Dorothy Seeley, 1563: *Spanish MSS. Rolls House*.

Spain to destroy the English fleet and pilots, masters and sailors, by means of the Inquisition. The Spanish King pretends that he dare not offend the Holy House, while it is said in England, we may not proclaim war against Spain for the revenge of a few, forgetting that a good war might end all these mischiefs. Not long since the Spanish Inquisition executed sixty persons of St. Malo in France, notwithstanding entreaty to the King of Spain to stay them. Whereupon the Frenchmen armed and manned forth their pinnaces, and lay for the Spaniards, and took a hundred and beheaded them, sending the Spanish ships to the shore with the heads, leaving in each ship but one only man to render the cause of the revenge; since which time the Spanish Inquisition has never meddled with those of St. Malo."¹

The theology of English sailors was not usually of a very rigid character. Out of seventy-one of Sir John Hawkins's men who were taken by the Spaniards in 1567, three only held out against rack and scourge with sufficient firmness to earn martyrdom; yet on the 10th of January, 1563, Sir William Cecil stated that in the one year then last past, twenty-six English subjects had been burnt to death in different parts of Spain.²

Twenty-six
Englishmen
burnt in
Spain.

But the stake was but one of many forms of judicial murder. The following story indicates with some detail both the careless audacity of the English and the treatment to which they were exposed: During the

¹ Petition of Dorothy Seeley, 1563: *Spanish MSS. Rolls House.*

² At the beginning of 1563, foreigners residing in London were forbidden to hear mass in their private houses. The Bishop of Aquila remonstrated, and Cecil answered "Que en España han quemado este año veinte y seis Ingleses." — De Quadra to Philip, January, 1563: *MS. Simancas.*

war between England and France, on the 15th of November, 1563, a fleet of eight English merchantmen, homeward bound from the Levant, were lying in the harbour of Gibraltar, when a French privateer full of men and heavily armed, came in and anchored within speaking distance of them. The sailors on both sides were amusing themselves with exchanging the usual discourtesies in word and gesture, when the vicar of the Holy Office, with a boatload of priests came off to the Frenchman; and whether it was that the presence of their natural foe excited the English, or that they did not know what those black figures were, and intended merely to make a prize of an enemy's vessel, three or four of the ships slipped their cables, opened fire, and attempted to run the Frenchman down.

The Spaniards, indignant at the breach of the peace of the harbour, and the insult to the Inquisition, began to fire from the castle; the holy men fled terrified; a party of English who were on shore were arrested; and the alcalde sent a body of harbour police to arrest others who were hanging in their boats about the French vessel. The police on coming up were received with a shower of arrows; the officer in command was wounded; and they were carried off as prisoners to the English ships, where they were detained till their comrades on shore were restored.

The next morning a second effort to seize or sink the Frenchman was prevented by the guns of the fortress. The English had given up the game and were sailing out of the bay, when Alvarez de Vasar happened to come round with a strong force from Cadiz. The ships, after a fruitless attempt at flight, were seized and confiscated; the ensigns were torn down, and

trailed reversed over the Spanish admiral's stern, and the captains and men, two hundred and forty in all, were condemned as galley slaves.¹ They forwarded a memorial to Chaloner at Madrid, telling their own story, and praying him to intercede for them.¹

"Ye served some angry saint," Chaloner wrote in answer, "so unadvisedly to take such an enterprise in hand in these parts where our nation findeth so short courtesy; and ye played the part of wavering inconstant heads, having once begun a matter to suffer yourselves so vilely to be taken, which if ye had held together I think ye needed not. Most of all I accuse the wonted fault of all merchants of our nation who go about every man to shift for himself, and care not for their fellows so they make sure work for themselves."²

"Although the treatment of our people," the ambassador wrote in relating the matter to Elizabeth, "has been most cruel and rigorous, yet I must say that a great part thereof has proceeded of the counter-dealing of our adventurers, or rather pirates, during these wars, having spoiled and misused the King's subjects very much. These men would not have remained by the heels had not other English adventurers by force broken the jurisdiction of this King's ports, and taken Frenchmen out of their havens; so at last when they chanced to catch any such in their gripe, they determined to make them an example for the rest."³

¹ Hugh Tipton to Sir Thomas Chaloner, December 8, 1563: *Spanish MSS.*

² Sir T. Chaloner to the merchants and mariners taken at Gibraltar, March 3, 1564: *Spanish MSS. Rolls House.*

³ Chaloner to the Queen, June 18, 1564: *MS. Ibid.*

An example they did make of them, or rather of their own wilful cruelty. England and Spain were nominally at peace; and the fault of the eight ships in those lawless times had a thousand precedents to bespeak lenient punishment. The ambassador interceded, entreated, explained; Philip and Alva listened with grave courtesy; and a commission was appointed to examine into the circumstances at Gibraltar. But the investigation was studiously deliberate, while the treatment of the prisoners was as studiously cruel. Nine months after the capture there were but eighty survivors out of the two hundred and forty; the rest had died of cold, hunger, and hard labour. Then at last, after humiliating apologies from Chaloner, with excuses founded "on the barbarous nature of sailors, occasioned by their lives on so barbarous an element as the sea," the famished wretches that were left alive were allowed to return to England.¹

The King of Spain had been already warned of the danger of provoking the spirit of English sailors. "Our mariners," said Sir Thomas Chamberlain to him on his first return from the Netherlands, "have no want of stomach to remember a wrong offered them, which if they shall hereafter seek to revenge with recompensing one wrong with another when the matter should least be thought of, the Queen of England must be held excused."² As the scene at Gibraltar was

¹ "Se debe considerar la poca discrecion que ordinariamente suelen tener hombres marineros, los quales por la mas parte platicando con un elemento tan barbaro como es la Mar, suelen á ser tan bien de costumbres barbaros y inquietos, no guardando aquellos respetos que suelen tener otros hombres mas politicos." — Chaloner to Philip, October, 1564: *Spanish MSS. Rolls House*.

² Chamberlain to Elizabeth, November 15, 1561: *MS. Ibid.*

Ill-usage
of English
prisoners in
Spain.

but one of many like it; as the cruel treatment of the crews was but a specimen of the manner in which the Holy Office thought proper to deal with Englishmen in every port in Spain, so is the following illustration of Chamberlain's warning to Philip but a specimen also of the deadly hate which was growing between the rivals for the sovereignty of the ocean.

The sons of Lord Cobham, of Cowling Castle, who had first distinguished themselves in Wyatt's rebellion, had grown up after the type of their boyhood, irregular, lawless Protestants; and one of them, Thomas Cobham, was at this time roving the seas, half pirate, half knight-errant of the Reformation, doing battle on his own account with the enemies of the truth, wherever the service to God was likely to be repaid with plunder. He was one of a thousand whom Elizabeth was forced for decency's sake to condemn and disclaim in proclamations, and whom she was as powerless as she was probably unwilling to interfere with in practice. What Cobham was, and what his kind were, may be seen in the story about to be told.

A Spanish ship was freighted in Flanders for Bilbao; the cargo was valued at 80,000 ducats, and there were on board also forty prisoners, condemned, as the Spanish accounts say, "for heavy offences worthy of chastisement,"¹ who were going to Spain to serve in the galleys. Young Cobham, cruising in the Channel, caught sight of the vessel, chased her down into the Bay of Biscay, fired into her, killed her captain's brother and a number of men, and then boarding when all resistance had ceased, sewed up the captain himself and the survivors of the crew in their own sails and flung them overboard. The fate of the

Exploit of
Thomas
Cobham.

¹ "Por graves delitos dignos de punición y castigo."

prisoners is not related ; it seems they perished with the rest. The ship was scuttled ; and Cobham made off with booty, which the English themselves admitted to be worth 50,000 ducats, to his pirate's nest in the south of Ireland. Eighteen drowned bodies, with the mainsail for their winding-sheet, were washed up upon the Spanish shores — "cruelty without example, of which but to hear was enough to break the heart."¹

English hearts in like manner had been broken with the news of brothers, sons,* or husbands wasting to skeletons in the Cadiz dungeons, or burning to ashes in the Plaza of Valladolid. But this fierce deed of young Cobham was no dream of Spanish slander : the English factor at Bilbao was obliged to reply to Chaloner's eager inquiries that the story in its essential features was true, and he added another instance of English audacity. A Spanish vessel had been cut out of the harbour at Santander by an Anglo-Irish pirate, and carried off to sea. The captain, more merciful than Cobham, saved the crew alive, kept them prisoners, and was driven into another Spanish port for shelter, having them at the time confined under his hatches. They were discovered ; the pirates were seized and died — it is needless to inquire how ; but so it came about that "what with losing their goods, and divers slain having no war, and again for religion, the Spaniards thought that for the hurt they could do to an Englishman they got heaven by it."²

Cobham was tried for piracy the next year at the

¹ "Tomáron á todos los que dentro iban, y los cosiéron en las velas, y los echáron á la mar, y en una de las velas se habían hallado 18 hombres ahogados en la costa de España. Crueldad nunca vista, y que en solo oyrlo quiebra el corazon." — Louis Romano to Cardinal Granvelle, February 20, 1564: *MS. Simancas*.

² Cureton to Chaloner, March 14, 1564: *Spanish MSS. Rolls House*.

indignant requisition of Spain. He refused to plead to his indictment, and the dreadful sentence was passed upon him of the *peine forte et dure*.¹ His relations, De Silva said, strained their influence to prevent it from being carried into effect ; and it seems that either they succeeded or that Cobham himself yielded to the terror, and consented to answer. At all events he escaped the death which he deserved, and was soon again abroad upon the seas.

When the Governments of Spain and England were tried alternately by outrages such as these, the chief matter of surprise is that peace should have been preserved so long. The instincts of the two nations outran the action of their sovereigns ; and while Elizabeth was trusting to the traditions of the house of Burgundy, and Philip was expecting vainly that danger would compel Elizabeth to change her policy, their subjects encountered each other in every sea where the rival flags were floating, with the passions of instinctive hate. The impulse given to the English privateers on the occupation of Havre and the breaking out of the war with France, almost brought matters to a crisis.

While Philip was openly assisting the Duke of Guise, and Condé was still the ally of England, letters of marque were issued in the joint names of the Huguenot Prince and the Earl of Warwick. Vessels

¹ "The English judgment of penance for standing mute was as follows : that the prisoner be remanded to the prison from whence he came and put into a low dark chamber, and there be laid on his back on the bare floor naked ; that there be placed upon his body as great a weight of iron as he could bear, and more ; that he have no sustenance save only on the first day three morsels of the worst bread, and on the second day three draughts of standing water that should be nearest to the prison door ; and in this situation this should be alternately his daily diet till he died, or, as antiently the judgment ran, till he answered." — Blackstone's *Commentaries*, book iv. chap. 25.

manned by mixed crews of French and English, were sent out to prey on Spaniards, Portuguese, and all other "Papists" with whom they might encounter; and although their commissions were not formally recognized by Elizabeth, yet the officers of the English ports were ordered to supply them privately with food, arms, stores, and anything which the service might require. In December, 1562, one of these irregular rovers, commanded by Jacques le Clerc, called by the Spaniards Pié de Pálo,¹ sailed out of Havre, captured a Portuguese vessel worth 40,000 ducats, then a Biscayan laden with wool and iron, and afterwards chased another Spanish ship into Falmouth, where they fired into her and drove her ashore. The captain of the Spaniard appealed for protection to the Governor of Pendennis; the Governor replied that the privateer was properly commissioned, and that without special orders from the Queen he could not interfere: ² Pié de Pálo took possession of him as a prize, and then lying close under the shelter of Pendennis waited for further good fortune. Being midwinter, and the weather being as usual unsettled, five Portuguese ships a few days later were driven in for shelter. Finding the neighbourhood into which

Letters of
marque to
prey on
Papists.

¹ Timber leg.

² "Le respondió que sí la Reyna no se le mandaba, que el no le podía hacer, por quanto el Pié de Pálo le habia monstrado un patente firmado del Principe de Condé y del Conde de Warwick General de los Ingleses en Havre de Grace, la cual contenia una comission de poder prender todos los navios y gente de Españoles, Portugueses, Bretones, y otros cuales quiera Papistas que encontrase, encargando á los ministros y oficiales de la Reyna de Inglatierra le favoreciesen ayudasen y vituallasen para su armada de todo lo necesario," &c. — *Relucion de Nicolas de Landa Verde*, January 20, 1563: *M.S. Simancas*. Landa Verde was the English captain.

A letter of De Quadra to Philip at the beginning of the month states that similar commissions were generally issued. — De Quadra to Philip, January 10: *M.S. Ibid.*

they had fallen, they attempted to escape to sea again; but Pié de Pálo dashed after them, and two out of the five he clutched and brought back as prizes.¹

Elizabeth herself at the same time, catching at the readiest and cheapest means to "annoy the French," had let loose the English privateers ^{The privateers.} under the usual licence from the Crown. Their commissions of course empowered them only to make war upon the acknowledged enemy; but they were not particular. Captain Sorrey, Pié de Pálo's consort, was blockading a fleet of rich Biscayans in Plymouth, and the Crown privateers were unwilling to be restricted to less lucrative game. If Sir Thomas Chaloner was rightly informed four hundred of these lawless adventurers were sweeping the Channel in the summer of 1563.² In a few months they had taken six or seven hundred French prizes; but the time-honoured dispute on the nature of munitions of war, and the liability of neutral ships engaged in an enemy's carrying trade, made an excuse for seizing Flemings and Spaniards; and the scenes which followed in the Channel and out of it were such as it would be hard to credit, were they not in large measure confessed and regretted in the English State Papers.

A list, with notes in Cecil's hand, of "depredations committed at sea during the war on the sub- ^{Plunder of Spanish subjects.} jects of Philip," contains sixty-one cases of

¹ "Dice que saliendo del puerto de Falmouth cinco navios Portugueses juntos vió que salió Pié de Pálo tras ellos, y tornó dos naos de las dichas cinco, y las otras se salváron á la vela; loquel todo dice en cargo de su consciencia ser verdad. — *Relacion de Nicolas de Landa Verde: MS. Simancas.*

² Of all historical statements those involving numbers must be received with greatest caution. Chaloner wrote from the official statement sent in at Madrid

Chaloner to the Queen, June 11, 1564: *Spanish MSS. Rolls House.*

piracy,¹ of which the following are illustrative examples:—

The “*Maria*,” from St. Sebastian, with a cargo of saffron, valued at 4000 ducats, was taken by Captain Sorrey and brought in as a prize to the Isle of Wight.

The “*Crow*,” from Zealand, was robbed of twenty-three last of herring by boats from Foy and Plymouth.

The “*Flying Spirit*,” from Andalusia, with a rich cargo of cochineal, was plundered by Martin Frobisher.

The “*Tiger*,” from Andalusia to Antwerp, with cochineal, silk, wool, gold, silver, pearls, and precious stones, was taken by Captain Corbet and Captain Hewet.

Such a stormy petrel as Stukely of course was busy at such a time. Stukely, in June, 1563, took a Zealand ship called the “*Holy Trinity*,” with 3000*l.* worth of linen and tapestry; and then joining a small fleet of west countrymen, fourteen sail in all, he lay off Ushant, watching professedly for the wine fleet from Bourdeaux, but picking up gratefully whatever the gods might send. No less a person than the Mayor of Dover himself was the owner of one of these seahawks.² Wretched Spaniards flying from their talons were dashed upon the rocks and perished. If a Fleming was caught by mistake, it was an easy thing with an end of loose rope and a tourniquet to squeeze out a confession that made him a lawful prize.

The baser order of marauders were not slow to imitate their betters, and the Thames was no safer than the Channel. Much of the richest merchandize which reached London was imported

Condition of
the Channel
and the
Thames.

¹ *Flanders MSS. Rolls House.* The Paper is dated May 27, 1565.

² *Ibid.*

in coasters from Antwerp, and the water thieves which hung about the mouth of the river made a handsome harvest.

"Bartholomew Panselfen, mariner of Antwerp, age twenty-four years or thereabouts,¹ deposed and declared on oath that about Christmas last past he was plying to London in company with other vessels, and that coming to Margate Roads he found there eight or nine English merchant ships lying at anchor. The said Bartholomew passing them by upon his course, the sailors in the said ships did cry out to him — "Heave to, heave to, filz du putain Flameng!" — of the which when he took no heed but pursued his way they did shoot their cannon at him, cutting the rigging and striking the hull of deponent's vessel; and moreover did fire upon him flights of innumerable arrows. He nevertheless keeping all sail, they could not overtake him, and for that time he escaped from pillage."

"Being asked whether at any other time he had been so attacked, the said Bartholomew declared that about a twelvemonth passed, certain Englishmen boarded his ship, and took from him two pieces of artillery, with powder, shot, the money which his passengers had on their persons, with their bread, cheese, and meat."

"Adrian Peterson, mariner of Antwerp, deposed that being on his way to London in the January of that year, an hour after sunset, he was boarded off Margate by eight or ten armed men in masks whom by their voices he knew to be Englishmen. He himself fled from them into the hold, where he lay con-

¹ This and the following depositions are taken from a report of a commission appointed in 1565 by the Regent of the Low Countries, to inquire into these outrages. — *Flanders MSS. Rolls House.*

ceased; but they beat his servant, and took from the ship more than two hundred pounds' worth of goods."

"Bartholomew Cornelius deposed that for the whole year past he has never made the voyage to England without suffering some outrage, being robbed of victuals, shirt, coat, and all the goods he has had on board. Even in the river at Greenwich, under the very windows of the palace, and the very eyes of the Queen, he had been fired into four or five times, and his sails shot through."

Among the worst sufferers from these meaner piracies were the poor Dutch fishermen. The English who had ceased to fish for themselves, resented the intrusion of foreigners into their home waters. They robbed their boats of the fish which they had taken; they took away their sails, masts and cordage, nets, lines, food, beds, cushions, money; they even stripped the men themselves of their clothes, and left them naked and destitute on the water. As one specimen of a class of outrages which were frightfully numerous —

"Francis Bertram, of Dunkirk, said and deposed that he had been herring fishing in the north of the Channel. He had had great success and was going home, when an English vessel came down upon him, with forty armed men — took from him ten last of herrings, stripped his boat bare — to the very ropes and anchor — and sailed away, leaving him to perish of hunger. The hull of the vessel when he was attacked by her was painted white and yellow; three days later she was seen elsewhere painted black, and the crew with blacked faces after the manner of Ethiopians."

¹ Petition of the Burgomasters of Newport and Dunkirk, September 24, 1665: *Flanders MSS. Rolls House.*

Nor were these depredations confined to privateers or pirates. On the 19th of December, 1563, Margaret of Parma complained to Elizabeth of the daily thefts and robberies of the subjects of the King of Spain committed on the coast of England — not only by persons unknown, but by ships belonging to the Queen's own navy.

“One of your subjects named Thomas Cotton,” said the Regent, “commanding your ship the ^{The English} ‘Phoenix,’ lately seized a vessel off Boulogne, ^{men-of-war} belonging to a merchant of Antwerp, and sent her with a foreign crew into England. The ‘Phoenix’ came afterwards into Flushing, and the owner of the vessel sent a water-bailiff to arrest Captain Cotton, and make him restore his capture or else pay for the injury. Captain Cotton, however, refused to submit to our laws. He spoke insolently of the King's Majesty our Sovereign, resisted the arrest, and sailed away in contempt. Madam, these insolences, these spoils and larcenies of the King's subjects cannot continue thus without redress. It is provided in the treaties of intercourse between us, that the perpetrators of violent acts shall be arrested and kept in ward till they have made satisfaction, and shall be punished according to their demerits. I beseech you, Madam, to take order in these matters, and inflict some signal chastisement as an example to all other evil doers. I require that the losses of our merchants be made good — being as they are molested and troubled on so many sides by the subjects of your Majesty. These, Madam, are things that can no longer be endured.”¹

¹ Margaret of Parma to Elizabeth, December 19, 1563: *Flanders MSS. Rolls House.*

Had Philip been satisfied with the state of affairs in France he would probably have now made common cause with Catherine de Medici, declared war against Elizabeth, and proclaimed Mary Stuart Queen of England. But the break up of the Catholic league on the death of the Duke of Guise, the return of Montmorency to power, and his reconciliation with Condé, had reinstated in Catherine's cabinet the old French party which was most jealous of Spain, and was most disposed to temporize with the Protestants. Philip felt his early fears revive that Mary Stuart's allegiance to France might prove stronger than her gratitude to himself, and he hesitated to take a step which might cripple his predominance in Europe. He was uneasy at the increasing disaffection of the United Provinces, which a war with England would inevitably aggravate; and though again and again on the verge of a rupture with his sister-in-law, he drew back at the last moment, feeling "that the apple was not ripe."¹ Determined, however, to check the audacity of the privateers, and those darker cruelties of Cobham and his friends, he issued a sudden order in January, 1564, for

Arrest of
English
ships in
Spain.

the arrest of every English ship in the Spanish harbours, with their crews and owners.

Thirty large vessels were seized; a thousand sailors and merchants were locked up in Spanish prisons, and English traders were excluded by a general order from the ports of the Low Countries. An estimate was made of the collective damage inflicted by the English cruisers, and a bill was presented to Sir Thomas Chaloner for a million and a half of ducats, for which the imprisoned crews would be held as securities.²

¹ Chaloner to Elizabeth, January 22, 1564: *Spanish MSS. Rolls House.*

² Same to same, January 20: *MS. Ibid.*

"Long ago I foretold this," wrote Chaloner, "but I was regarded as a Cassandra. For the present I travail chiefly that our men may be in courteous prison, a great number of whom shall else die of cold and hunger."

With the French war still upon her hands, Elizabeth was obliged to endure the affront and durst not retaliate. With the Catholic party so powerful, a war with Spain, and the contingencies which might arise from it, was too formidable to be encountered. She wrote humbly to Philip, entreating that the innocent should not be made to suffer for the guilty; the wrong, which she admitted might have been done, she attributed to the confusion of the times; she protested that she had herself given neither sanction nor encouragement to her subjects' lawless doings; she would do her utmost to suppress the pirates; and if her merchants and sailors were set at liberty, she would listen to any proposal which Philip might be pleased to make.¹

Elizabeth
affects
regret.

As an earnest of the good intentions of the Government, the English Prize Courts made large awards of restitution; and it was proposed that a joint commission should sit at Bruges to examine the items of the Spanish claim.

But Elizabeth saw that she must lose no time in

¹ Elizabeth to Philip, March 17: *Spanish MSS. Rolls House*.

Her subjects themselves were not so submissive. "One insolence," wrote Chaloner, "sundry of the council here have much complained of to me: that in Galicia, upon occasion of certain of our merchants detained by the coregidor of a port town there, the same town was shot at with artillery out of the English ships, and four or five of the townsmen slain and hurt. This they term 'combatir una tierra del Rey; y, Que es estos? y, Como se puede sufrir?' Sure our men have been very outrageous. It was full time the peace took up, or else I ween they would yet have spoken louder." Chaloner to Elizabeth, June 18: *MS. Ibid.*

settling her differences with France. Peace was hastily concluded; she amused Catherine and frightened Philip with the possibility of her accepting the hand of Charles the Ninth; and by the beginning of the summer which followed the close of the war, she was able to take a bolder tone. The trade with England was of vital moment to the Low Countries. The inhibition which the Regent had issued against English vessels had given the carrying trade to the Flemings, and the ships in Spain continuing unreleased, Elizabeth on her part, at the beginning of May, retaliated upon the

The
Flemings
excluded
from Eng-
lish ports.

Duchess of Parma by excluding Flemings from the English ports. The intercourse between the two countries was thus at an end. The Queen bade Chaloner say to Philip, that "whatever injury might have been done to subjects of Spain, she had more to complain of than he; Spanish ships might have been robbed, but the offenders were but private persons; the banner of England had been trailed in the dirt by public officers of Castile, as if it had been taken in battle from the Turks; English subjects had been seized, imprisoned, flogged, tortured, famished, murdered, and buried like dogs in dungheaps; she, too, as well as he, would bear these wrongs no longer."¹

To the letter of Margaret of Parma she replied with equal haughtiness.

"In the month of January last," she wrote, "we received intelligence from our ambassador resident in Spain that all manner of our subjects there, with their ships and goods, were laid under arrest, and that our

¹ Memorial presented by Sir T. Chaloner to Philip II., June 4, 1564: *Spanish MSS. Rolls House.*

subjects themselves had been used in such cruel sort by vile imprisonment, torture, and famine, as more extremity could not be showed to the greatest criminal. Nor were there any pretences alleged for this violence, save only that a ship on the way to that country from Flanders was robbed by certain English vessels of war — which, indeed, might be true, as hitherto we know not any certainty thereof; and yet no cause to make such a general arrest and imprisonment of so great a multitude of people; whereof none were nor could be charged with any evil fact, but were proved to have come thither only for merchandize. Wherefore being troubled with the miserable complaints of the wives, children, and friends of our subjects oppressed in Spain, and seeing on the one part you will neither by means of your edict permit our subjects to come thither with their cloths, nor to bring any commodity from thence, and on the other none of our subjects may come into any port of Spain but they are taken, imprisoned, and put in danger of death; we appeal to the judgment of any indifferent person, what we can less do but, until some redress made for these intolerable griefs, to prohibit that there be no such free resort of merchandize from thence, to the enriching only of a few merchants of those countries.”¹

The English prisoners in Spain had suffered frightfully. Out of the two hundred and forty taken at Gibraltar, only eighty, as has been already said, were alive at the end of nine months. The crew of the “Mary Holway,” of Plymouth, numbered fifty-two when they went in Janu-

Sufferings
of the
English
prisoners.

¹ Elizabeth to Margaret of Parma, May 7, 1564: *Flanders MSS. Rolls House*.

ary into the castle of St. Sebastian. By the middle of May twenty-four were dead of ill-usage, and the remaining twenty-eight "were like to die."¹ Some notion may be formed from these two instances of the loss of life which had followed on the general arrest. Quite evidently the Spanish and English people wanted but a word from their sovereigns to fly like bull-dogs at each others' throats. But the peace with France and the eclipse of the ultra-Catholic faction at the French court had decided Philip that the time was not yet come; he listened to Chaloner's expostulations with returning moderation;² and Chaloner — though against his own interest, for his residence in Spain was a martyrdom to him, and a war would have restored him to England — advised Elizabeth to postpone her own resentment. The injuries after all had been as great on one side as the other; she would find every just complaint satisfied at last, "but not so much by the lion as by the fox;" and "for the avoiding of trouble in England" he recommended her to allow "the traffic with the Low Countries to be redintegrate."³ He thought that there were symptoms of a

¹ The Lords of the English Council to Chaloner, June 1: *Spanish MSS. Rolls House*.

² Chaloner's description of Philip is interesting, and agrees well with Titian's portraits.

"The King," he said, "heard us very quietly, making few and short but calm answers; which his nature to them that know it is not to be marvelled at, seeing to all ambassadors he useth the like; for as he hath great patience to hear at length and note what is said, receiving quietly what memorials or papers are presented to him, so hardly, for as much as I have hitherto perceived, shall a stranger to his countenance or words gather any great alteration of mind either to anger or rejoicement, but after the fashion of a certain still flood. Nevertheless both his looks and words unto me gave show of a certain manner of extraordinary contentation." — Chaloner to Elizabeth, June 11: *MS. Ibid.*

³ *Ibid.* Chaloner's lamentations over his residence at Madrid were piteous. "Spain! rather pain," he wrote to Sir John Mason in 1562.

revival of the old quarrels between France and Spain, when she might look for Philip's help to recover Calais; and by the autumn concessions were made on both sides. De Silva was sent to England to heal all wounds; the English ships and the

Roads, food, lodging, about Madrid itself were scarcely tolerable, and elsewhere "were past bearing." The cost of living was four times greater than in England; and the Duke of Alva was the only person in whom he found "wisdom and courteous usage."

"Think with yourself," he wrote in June, 1564, in the midst of his trouble, "whether this alone is not to a free mind an importable burden; two years and three quarters to bear my cross in Spain; a place and nation misliked of all others save themselves; driven here not only to forbear, but patiently like an ass to lay down mine ears at things of too, too much indignity."

His health failed at last, between the climate, the garlic diet, and his public worries.

"Surely I have had great wrong," he said in a letter to Sir Ambrose Cave; "but it is the old wont of our court never to think upon the training of a new servant till the old be worn to the stump. It is each man's part to serve their prince; but there is a just distributing, if subjects durst plead with kings. I have not much more to hope, having twenty years served four kings, now further from wealth or that staff of age which youth doth travail for, than I was eighteen years agone. Methinks I became a retrograde crab, and yet would gladly be at home with that that yet resteth, to pay my debts and live the rest of my life perhaps contentedly enough."

Of the danger of trusting to Spanish physicians he had frightful evidence. In August this same year, 1564, Philip's Queen (Elizabeth of France) miscarried of twins. Fever followed. They bled her in both arms; they bled her in both feet; and when spasms and paroxysms came on they cupped her, and then gave her up and left her to die. "She was houselled, and the King to comfort her was houselled also for company; and at the moment when Chaloner was writing to England "she was lying abandoned of her physicians at the mercy of God. The palace gates were shut; the lamentations in the court both of men and women very tender and piteous; the chapel was filled with noblemen all praying on their knees for her; and great and unfeigned moans on all parts."

Nature eventually proved too strong even for Spanish doctors. She rallied; and they flew at her once more. "At last by means of a strong purgative of agaricum that made her have twenty-two stools, given at a venture in so desperate a case to purge those gross humours, she was ever since amended."—Letter of Sir Thomas Chaloner: *Spanish MSS. Rolls House*.

Chaloner himself was less fortunate. He was recalled after long entreaty, in 1565; but he died a few weeks after he landed in England.

surviving sailors were released from the clutch of the Inquisition. After a correspondence between Cecil and Egmont the Flanders trade was reopened, and commissioners were appointed to sit at Bruges to hear all complaints and to settle terms of restitution. The letters of marque expired with the war, and "the adventurers" had to look elsewhere to find a theatre for their exploits: some few continued to lurk in the western rivers; the more desperate, inoculated with a taste for lawless life, hung about their old haunts in the Irish creeks — whither Stukely, as was seen in the last chapter, after fitting out an expedition to Florida, found it more attractive to betake himself. Elizabeth consented to open her eyes to proceedings which were bringing a scandal upon her Government, and took measures at last, though of a feeble kind, to root out these pirates' nests.

On the 29th of September, 1564, she wrote to Sir Peter Carew at Dartmouth, that "whereas the coasts of Devonshire and Cornwall, the Land's End, and the Irish seas, were by report much haunted with pirates and rovers," she desired him to fit out an expedition with speed and secrecy to clear the seas of them.¹ She gave him discretionary powers to act in any way that he might think good; "she would allow anything which he might put in execution," and she "would victual his ships out of the public stores." Characteristically, however, she would give him no money; Sir Peter and his men might pay themselves out of whatever booty they could take; and the temptation of plunder would perhaps rouse them into an energy which might not otherwise be excessively vigorous.

¹ Elizabeth to Sir Peter Carew, September 29, 1564: *Domestic MSS. Eliz.*, Vol. XXXIV.

Carew, on these terms, undertook the service; he armed three vessels, collected something under three hundred men from among the disbanded privateers, and in the spring of 1565 sent them out upon their cruise.

The result may be told in the words of his own report to the Council.

“Running along the west coast of England and finding nothing there meet for their purpose, they sailed over into Ireland, where they found a hulk of Stukely’s in Cork Haven, which they brought away, himself being, before they arrived, on shore with the Lord Barrymore, having left certain of his men in the hulk to guard her, who being shot unto rowed unto the shore in their long-boat. From thence they went to Berehaven, where before their coming Haydon, Lysingham, and Corbet, with other pirates their accomplices, had withdrawn themselves into a castle belonging to O’Sullivan Bere, and also their vessels near the same, planting their ordnance on the shore and also in the castle, so as our men were not able to annoy them. They mustered in sight of our men five hundred galloglasse and kernes besides their own soldiers, which were, as they could judge, a hundred and sixty at the least. Although our men had killed one of their captains with shot, which as I am informed was Lysingham, yet their own ships being shot through, nor seeing otherwise how to prevail further, considering what force Haydon was, having married with O’Sullivan’s sister, who had committed the charge of the castle unto his custody, by which means he was like daily to be succoured by those kernes, I thought best, for fear of sinking, after sundry

Unsuccessful
attempts
against the
pirates in
Ireland.

shots between them both — which continued from ten o'clock in the morning to four o'clock in the afternoon — to depart, which service I for my part am sorry had no better success.”¹

The Queen's attempt to get the work done cheap was not successful, especially as Carew's men, having failed to obtain plunder, clamoured to be paid. The pirates gathered fresh courage from the feebleness with which they had been assailed; and in the face of the escape of Cobham, and the evident unwillingness of the Government to use severity on the rare occasions when a pirate was taken prisoner, it is plain that Elizabeth's Government was not as yet awake to the necessity of resolute dealing in the matter. In the beginning of August, 1565, De Silva laid before Cecil a fresh list of outrages upon Spanish commerce. He demanded “that the more noted pirates should be diligently inquired after,” and that when taken and convicted “they should not be pardoned;” while cautiously but firmly he insisted “that the Queen's officers in the western harbours should no longer allow them to take in stores and run in and out at their pleasure;” that “their receivers and comforters should be punished to the example of others;” and that rewards should be offered for the discovery and conviction of the persons most engaged in these enterprises.²

These requests were certainly not excessive. It is remarkable that the last was distinctly refused on the plea that to assist justice with the offer of rewards was

¹ Sir Peter Carew to the Council, April 17, 1565: *Domestic MSS. Eliz.* Vol. XXXVI.

² De Silva to Cecil, August 5: *Spanish MSS. Rolls House.*

contrary to English usage.¹ Additional salaries, however, were given to the Admiralty judges to quicken their movements; Queen's ships were sent to sea to prosecute the search more vigorously; and on the 12th of August "the Council, taking into consideration a complaint of the Spanish ambassador, of spoils done upon Spanish subjects upon the seas," directed inquiry to be made all along the English coast, with the immediate trial of all persons charged with piracy, and their punishment on conviction; "her Majesty being resolved to show to the world that she intended to deal honestly in that matter."²

Nevertheless the energy of the Council was still unequal to their professions, and there was still large deficiency either of power or of will. In October a vessel going from Flanders to Spain "with tapestry, household stuff, clocks," and other curiosities, for Philip himself, was intercepted and plun- ^{Fresh} ^{outrages.} dered;³ and this final audacity seems really to have created an alarm. Harbour commissioners at last were actually appointed; codes of harbour rules were drawn out for the detection and detention of ambiguous vessels; and as an evidence that the Government were in earnest they struck faintly at the root of the disease. The gentlemen on the coast "were the chief maintainers of pirates;" and Sir William Godolphin of Scilly and the Killigrews of Pendennis were threatened with prosecution.⁴

Yet still no one was hanged. Pirates were taken, and somehow or other were soon abroad again at their

¹ "Haud hoc nostræ reipublicæ convenit, sed salaria a Regina nova dantur judicibus in hunc usum."—Cecil to De Silva, *Spanish MSS. Rolls House*.

² *Council Register*, August, 12, 1565.

³ Phayres to Cecil, October 12: *Spanish MSS.*

⁴ *Council Register*, November, 1565.

old trade. Godolphin and Killigrew suffered nothing worse than a short-lived alarm.

The commission met at Bruges after long delay in the beginning of the following year. Eng-
The Conference at Bruges. land was represented by Haddon, Sir A. Montague, and Doctor Wotton. The Spanish Government had given a proof of their desire to settle all differences quietly by appointing to meet them Count Montigny and Count Egmont — Montigny, murdered afterwards by Philip with such ingenious refinement at Simancas, and Egmont the best friend that Elizabeth had in the King of Spain's dominions.

Nevertheless, even with these two the problem was almost beyond solution. The proceedings had scarcely opened when another and most audacious act of piracy was committed at the mouth of the Thames. The Flemish commissioners said they did not question the good will of the Queen of England, but her conduct was very strange. They challenged Wotton to name a single pirate who had yet been executed; and Wotton, with all his eagerness to defend Elizabeth, confessed himself unable to mention one. They said frankly that if the Queen's Government did not see to the safety of their own seas, "another way must be taken" which would lead to war.

"For our part," wrote Wotton in his report to Cecil, "we must needs think our fortune very hard; our men in their offences are so far out of all order, and the cases so lamentable if the account be true, that we can scant tell how to open our mouths for any reasonable satisfaction therein."¹

Elizabeth could but answer that she had done her best, and either the story was exaggerated or "else it

¹ Wotton to Cecil, May 13, 1566: *Flanders MSS.*

was a matter impossible to be reformed." She said, however, that she had sent special persons to every port in England with extraordinary powers, from whose exertions an effect might be looked for.¹ Philip fortunately was in a most unwarlike humour, and her excuses were accepted for more than they were worth. But the conference was suspended till her good intentions had been carried into acts; and the commissioners separated on the 17th of June, still leaving all outstanding claims unsettled.

English Protestants, it was too evident, regarded the property of Papists as lawful prize wherever they could lay hands on it; and Protestantism, stimulated by these inducements to conversion, was especially strong in the sea-port towns. Exasperated by the murder of their comrades in the prisons of the Inquisition, the sailors and merchants looked on the robbery of Spaniards as at once the most lucrative and devout of occupations; and Elizabeth's Government was unable to cope with a tendency so deeply rooted. The destinies, beneficent or evil, however, which watched over the fortunes of the nation, provided a more distant field of lawless enterprise, which gradually attracted the more daring spirits to itself; and while it removed the struggle with Spain into a larger sphere, postponed for a few years longer the inevitable collision, and left the Channel in peace.

It has been seen how in the early days of the Guinea trade the English had half in play coquetted with the capture of negroes; how they stretched out their hands towards the forbidden fruit, touched it, clutched at it and let it go; the

¹ Elizabeth to the Commissioners at Bruges, June 1, 1566. Cecil's hand: *Flanders MSS.*

feeble scruples were giving way before familiarity with the temptation.

The European voyagers, when they first visited the coasts of Western Africa, found there for the most part a quiet, peaceable and contented people, basking in the sunshine in harmless idleness, unprovoked to make war upon one another because they had nothing to desire, and receiving strangers with the unsuspecting trustfulness which is observed in the birds and animals of new countries when for the first time they come in contact with man. Remorse for the desolation created by the first conquerors of the New World among the Indians of Mexico and the isles, had tempted the nobler Spaniards into a belief that in this innocent and docile people might be found servants, who, if kindly treated, would labour without repugnance; and thus the remnants of those races whose civilization had astonished their destroyers might be saved from the cruelty of the colonists. The proud and melancholy Indian pined like an eagle in captivity, refused to accept his servitude and died; the more tractable negro would domesticate like the horse or the ass, acquiesce in a life of useful bondage, and receive in return the reward of baptism and the promise of eternity.

Charles the Fifth had watched over the interests of the Indians, as soon as he became awake to their sufferings, with a father's anxiety. Indian slavery in the Spanish dominions was prohibited forever; but that the colonists might not be left without labourers, and those splendid countries relapse into a wilderness, they were allowed to import negroes from Africa, whom as expensive servants it would be their interest to preserve. The Indians had cost them nothing; the Indians had been seized by force, chained in the mines

or lashed into the fields; if millions perished, there were millions more to recruit the gangs. The owner of a negro, whom he had bought and bought dear, would have the same interest in him as in his horse or his cow; he would exact no more work from his slave than the slave could perform without injury to himself, and he would be the means of saving a soul from everlasting perdition.

Nor was the bondage of the negro intended to be perpetual, nor would the great Emperor trust him without reserve to men who had already abused their powers. The law secured to the slave a certain portion of every week when the time was his own; if he was industrious and frugal he could insist upon his freedom as soon as he could produce the price of it; he could become an owner of property on his own account; and evidence remains that in the sixteenth century, under the protecting laws of the mother country, many a negro in the Spanish colonies was a free and prosperous settler who paid his taxes to the Crown.¹

Negro slavery in theory was an invention of philanthropy — like the modern Coolie trade, an unobjectionable and useful substitute for the oppression of races to whom loss of freedom was death; yet with the fatal blot in the design that the consent of the negroes themselves, who were so largely interested in the transaction, was neither sought nor obtained. The original and innocent pretext which confined the purchase to those who had offended against the negro laws, melted swiftly before the increase of the demand; the beads, the scarlet cloaks and ribands, which

¹ I need scarcely more than allude for my authority on this subject to the admirable book of Mr. Helps on the Spanish Conquest of America.

were fluttered in the eyes of the chiefs, were temptations which savage vanity was unable to resist; they sold their own people; they made war on one another to capture prisoners, which had become a valuable booty; and the river mouths and harbours where the Portuguese traders established their factories were envenomed centres from which a moral pestilence crept out among the African races. The European first converted the negro into a savage, and then made use of his brutality as an excuse for plunging him into slavery.

The English at first escaped the dread and detestation which were inspired by the slave dealers; they came as traders to barter for gold dust; they were fired upon whenever they approached the factories, and the natives welcomed as friends the enemies of the Portuguese and Spaniards. But the unfortunate people were themselves the richest part of their merchandise. The Spanish Government, aware perhaps after a time of the effect produced in Africa, and wishing to ensure the good treatment of the slaves by enhancing their value, had begun to set their faces against the slave trade. The Governors of the Spanish-American colonies were instructed to prevent the importation of negroes unless under a license from the home administration, which was dearly bought and charily given. A duty of thirty ducats was laid on the sale of every slave; and thus while the demand for labour increased with the prosperity of the settlements, the price was enhanced, the supply was artificially kept down, and the English traders at the Azores and at Madeira came to understand that license or no license the market of the West Indies would be open to them. If slaves could be brought to their doors the colonists would

eagerly buy them, and with discretion and courage the negro trade might be made a thriving business.

The first venture was made by John Hawkins of Plymouth, so famous afterwards in English naval annals, son of old William Hawkins who had brought over the Brazilian King.

First slaving
voyage of
John
Hawkins.

John Hawkins and Thomas Hampton, in October, 1562, fitted out three vessels, the largest a hundred and twenty tons, and sailed with a hundred men for Sierra Leone.¹ After hanging some time about the coast, "partly by the sword and partly by other means," they collected three hundred negroes, and crossed the Atlantic to St. Domingo. Uncertain at first how he might be received, or not caring to avow the purpose of his voyage, Hawkins pretended on his arrival that he had been driven out of his course by stress of weather, that he was in want of food, and was without money to pay his men; he therefore requested permission to sell "certain slaves which he had with him." The opportunity was eagerly welcomed; the Governor, supposing apparently that his orders from home need not be construed too stringently, allowed two thirds of the negroes to be sold; the remaining hundred, as it was uncertain what duty should be demanded on an unlicensed sale, were left as a deposit with the oidores or council of the island. Neither Hawkins nor the Governor anticipated any serious displeasure on the part of Philip. Hawkins invested his profits in a return cargo of hides, half of which he sent in Spanish vessels to Cadiz under the care of his partner, and he returned with the rest to England, as he supposed, "with prosperous success and much gain to himself."

¹ First voyage of Mr. John Hawkins: Hakluyt, Vol. III. p. 594.

Prosperous in point of money the voyage undoubtedly was, although the profits proved less than he anticipated. He had brought away with him a testimonial of good behaviour from the authorities at St. Domingo, who would gladly have seen him return on the same errand. The Spanish Government viewed the affair differently. Philip the Second, to whatever crimes he might be driven by religious bigotry, was not inclined to tolerate free trade in negroes, however large the duty which he could exact upon them; and the intrusion of the English into his transatlantic dominions, his experience of them nearer home made him particularly anxious to prohibit. On Hampton's arrival at Cadiz his cargo was confiscated and sold, he himself narrowly escaping the clutches of the Displeasure of Philip. Inquisition;¹ the negroes left at St. Domingo were forfeited, and Hawkins saw snatched from him a full moiety of his hard-earned prize. He estimated his loss at forty thousand ducats; he cursed, threatened, and implored, with equal unsuccess; fearless of man or devil, he thought at first of going in person to Madrid and of taking Philip by the beard in his own den; but Chaloner, to whom he wrote, told him with some sarcasm "that he would do well not to come thither;" "it was an ill time for obtaining any suit further than the right or justice of the cause would bear;" he advised him "to attempt to obtain a part of the thing to be demanded, by procuring some favourite about the King to ask for the whole as a forfeit confiscate;" he might then perhaps recover some part of his loss by a private arrangement.²

¹ Hugh Tipton to Chaloner, December, 1563: *Spanish MSS. Rolls House.*

² Chaloner to Hawkins, July 6, 1564: *Spanish MSS.*

Neither by this, however, nor by any other means could Hawkins obtain one penny for his lost hides and negroes; and the result of his demands was only the despatch of a peremptory order to the West Indies that no English vessel should be allowed under any pretence to trade there. Foreseeing that when the road had been once opened hundreds would rush into it, Philip said distinctly to the ambassador that if the English persisted in going thither evil would come of it; and so impressed was Chaloner with the feelings of the Spanish Government on the subject, that he entreated Elizabeth earnestly to make her subjects respect their objections.¹

The warning, if Elizabeth had possessed either power or inclination to act upon it, was not unneeded. Traces appear of more than one attempt to follow in Hawkins's track before he himself moved again; and the African tribes being now on their guard, the slave hunters had been received with poisoned arrows, and had found a difficulty in escaping with their lives.²

But Hawkins knew better what he was about; he understood how to catch negroes; he understood how to sell them to Spaniards, whatever Philip might please to say; he would not repeat the single mistake into which he had fallen; and the profits seemed so certain and promised to be so large, that Lord Pembroke and others of the Council were ready to take shares in a second adven-

Second
voyage with
the sanction
of Queen
and Council.

¹ "Our folks must be narrowly looked to, and specially that they enterprize no trade or voyage to the Indies or islands of this king's navigation; which if they do, as already they have intelligence of some that do propose it, surely it will breed occasion of much matter of pick." — Chaloner to Elizabeth, June 18, 1564: *Spanish MSS. Rolls House*.

² See Robert Baker's *Metrical History of Two Voyages to Guinea in 1562 and 1563*, printed by Hakluyt.

ture. Even the Queen herself had no objection to turn a little honest money; and contenting herself with requiring a promise from him that he would do no injury to the Spaniards, she left the rest to his discretion, and placed at his disposal one of the best ships in her service. Cecil alone, ever honourable, ever loathing cruelty and unrighteousness, though pressed to join with the rest, refused, "having no liking for such proceedings."¹

Thus encouraged and supported, Hawkins sailed once more from Plymouth on the 18th of October, 1564, in the "Jesus of Lubeck," a ship of 700 tons, armed to the teeth, his old vessel the "Solomon," enlarged somewhat, perhaps with a more roomy hold, and two small sloops to run up the shallow creeks.

A rival expedition sailed at the same time and for the same purpose from the Thames, under David Carlet, to whom the Queen had also given a ship. Carlet had three vessels, the "Minion," Elizabeth's present, the "John the Baptist," and the "Merlin." The "Merlin" had bad luck; she had the powder on board for the nigger hunt; fire got into the magazine, and she was blown in pieces. Carlet, therefore, for a time attached himself with his two remaining ships to Hawkins, and the six vessels ran south together. Passing Teneriffe on the 29th of November, they touched first at the Cape de Verde Isles, where the natives "being very gentle and loving and more civil than any others," it was proposed to take in a store of them. Either, however, the two commanders could

¹ "El secretario Cecil me ha dicho que á el le ofrecieron quando parti6 Achines que le admitirian como á los demas; pero que el lo habia rehusado porque no le contentaron semejantes negocios." — De Silva to Philip, November 5, 1565: *MS. Simancus*.

not agree, or Hawkins claimed the lion's share of the spoil; they quarrelled, and the "Minion's" men being jealous gave the islanders to understand what was intended, "so that they did avoid the snares laid for them."

After so unworthy a proceeding the west countryman shook off his companion, and leaving Carlet to go his own way, went down the coast past the Rio Grande, storing his hold as he went along among the islands and rivers. On one occasion he was played a trick by some Portuguese which might have had bad consequences: they offered to guide him to a village where he would find a hundred unprotected women and children, and they betrayed him into ambuscade, when his men, who were scattered in search of plunder, were set upon by two hundred negroes. Seven were killed and seven-and-twenty wounded, and in return for their loss they carried off but ten slaves. "Thus," reported one of the party, "we returned back somewhat discomfited, although the captain in a singular wise carried himself with countenance very cheerful outwardly, although his heart was inwardly broken at the loss of his men."

But this was the single interruption of otherwise unbroken success. Between purchases from the Portuguese and the spoils of his own right arm, Hawkins in a few weeks had swept up about four hundred slaves; his ships were inconveniently crowded, symptoms of fever began to show among the crew, and the shore was no longer safe, "the natives having laid a planto entrap and kill them." "God, however, who worketh all things for the best, would not have it so, and by Him they escaped danger, His name be praised." The captain decided that he had done enough, and

headed away for the West Indies. He was troubled at first with calms; he feared that the water might run short, and that part of his cargo might die, or have to be thrown overboard. "Almighty God, however, who never suffers His elect to perish,"¹ sent a breeze in time, and the Indian islands were reached without the loss of a man. A second venture at St. Domingo was thought dangerous; Hawkins had arranged with the Council before he sailed "not to send any ship or ships to any of those ports of the Indies that were privileged to any person or persons by the King of Spain;"² and precautions had probably been taken to make any further trade at the scene of his first visit impossible. He contented himself with touching there for water, and made as fast as he could for the mainland. His best chance to dispose of his wares was to choose some harbour where the inhibition was unlikely to be known, or where he would be able to force an entry if it was refused; and running on into Barbarotta,³ he anchored close off the town and went on shore.

He at once learnt that the interdict had arrived: in reply to his proposal to trade he was informed that the King of Spain had forbidden the colonists under pain of death⁴ to admit any foreign vessels there or have any dealings with them; and he was entreated to go his way. But the town was weak and Hawkins was strong; he repeated his old story that he was driven in by foul weather, that he had a large crew, and was

¹ *Narrative of the Second Voyage of Mr. John Hawkins*, by one of the party. Printed by Hakluyt.

² *Council Register, MSS.*

³ Called Barbotoata in the English accounts.

⁴ "Su pena de muerte," according to the Spanish account at Simanca. The English story says "upon penalty to forfeit their goods."

in distress for food and money. He showed his commission from Elizabeth — “a confederate and friend of the King of Spain;” and he said that unless he was allowed to trade peaceably, his men would go on land, and might perhaps do some injury.

The inhabitants desired negroes; the menace was an excuse for the Governor to yield: but to save himself from some portion of the blame he insisted that Hawkins should at least pay the thirty ducats customs duty. The English commander, however, had no intention of contributing more than he could help to Philip's treasury. When some valuable time had been wasted in discussion, he cut the knot by landing a hundred men and two pieces of cannon; he put out a proclamation that How
Hawkins
sold his
negroes. seven and a half per cent. was a sufficient tax to be levied on any wares in any harbour, that his necessities were too great to be trifled with, and that unless the people were permitted to deal with him on these terms, he would not answer for the consequences. The Governor allowed himself to be convinced by so effective an argument; the planters in the neighbourhood swallowed their scruples; in a few days half the cargo was happily disposed of, and Hawkins sailed away with the rest, after first exacting from the authorities, as before, a certificate of good behaviour.¹

¹ De Silva said that the exhibition of force had been secretly concerted between Hawkins and the Governor.

“El Capitan respondió que la gente que el traía era mucho, y que no podía el contenerlos, para que no saltasen en tierra y hiciesen daño, si no tuviesen licencia para contratar; y assi vino á platicar en segredo con el Gobernador, y entre ellos se habia concertado que otro dia se echase gente en tierra y comenzase á querer ir al lugar y hacer daño, y que el saldría, porque no lo hiciese, le dexarian hacer su contratacion; lo qual se hizo assi: y puso en tierra docientos hombres y ciertas pieças de artillería, las quales comenzaron á pelear, pero luego cesó, y por bien de paz le dexaron negociar, habiendo

From Barbarotta he went to Rio de la Hacha, where the same scene was reënacted with simple monotony. The Governor, as before, protested that he was forbidden by his master to let the English trade there; the English commander, as before, declared that he was in "an armada of the Queen of England sent about her other affairs," that he had been forced by contrary winds out of his course, and that he expected hospitality. The authorities again refused, again Hawkins threatened violence, and again there was a dispute over the customs duties. Finally, with or without an understanding with the Governor, a few boats' crews with cannon once more opened the market; the remaining negroes were sold off, and with the hard money in his hand, a second testimonial, and the black pens below decks washed clear of pollution, the fortunate Hawkins put to sea in full triumph and high spirits. Instead of hastening home, he spent the summer of 1565 cruising in the Caribbean Sea, surveying the islands, mapping down the shoals and currents, and perhaps on the look out for some lame duck or straggler out of the Spanish treasure fleet.¹

Sailing round Cuba and running up the Bahama Channel, the English commander then turned north, felt his way along the coast of Florida, landing from time to time to examine the capabilities of the country, and visiting and relieving the French settlements there. Finally passing up to the Banks of Newfoundland, he fed his tired and famished crews with his fishing lines ;

pasado entre ellos algunas cosas por escrito de requerimiento como se habia entre ellos concertado." — De Silva to Philip, November 5, 1565: *MS. Simancas*.

¹ "Esperando la flota de la nueva España ó tierra firma, para ver si de raso podrian tomar algun navio della." — De Silva to Philip: *MS. Simancas*.

and so in September came safely back with his golden spoils into Padstow Harbour, having lost in the whole voyage, including those who had been killed by the negroes, not more than twenty men.¹

Lord Pembroke and the other contributors made sixty per cent. on their adventure; nor need it be supposed that Elizabeth went without her share for the ship. Hawkins on his arrival in London was the hero of the hour, affecting the most unconscious frankness, and unable to conceive that he had done anything at which the King of Spain could take offence.

"I met him," De Silva wrote, "in the palace, and invited him to dine with me; he gave me a full account of his voyage, keeping back only the way in which he had contrived to trade at our ports. He assured me, on the contrary, that he had given the greatest satisfaction to all the Spaniards with whom he had had dealings, and had received full permission from the governors of the towns where he had been. The vast profit made by the voyage has excited other merchants to undertake similar expeditions. Hawkins himself is going out again next May; and the thing requires immediate attention. I might tell the Queen that by his

¹ From Padstow, Hawkins wrote the following letter to Elizabeth:—

"Please your Majesty to be informed that this 20th day of September I arrived in a port of Cornwall called Padstow, with your Majesty's ship the 'Jesus' in good safety—thanks be to God—our voyage being reasonably well accomplished according to our pretence. Your Majesty's commandment at my departing from your Grace at Enfield I have accomplished, so as I doubt not but it shall be found honourable to your Highness; for I have always been a help to all Spaniards and Portugals that have come in my way without any form or prejudice by me offered to any of them, although many times in this tract they have been under my power; I have also discovered the coast of Florida in those parts where there is thought to be great wealth. Your Majesty's," &c.—*Pepys's MSS. Magdalens College, Cambridge.*

own confession he has traded in ports prohibited by your Majesty, and require her to punish him; but I must request your Majesty to give me full and clear instructions what to do.”¹

From this time, and until his mantle descended to his friend and pupil Francis Drake, Hawkins, or Achines as the Spaniards called him, troubled the dreams and perplexed the waking thoughts of Philip the Second. In every despatch in which the name is mentioned the sprawling asterisks in the margin remain to evidence the emotion which it produced. The report of that audacious voyage enhanced the warmth with which the cause of Mary Stuart was adopted at Madrid; and the King of Spain was haunted with a vague foreboding that the visits of these roving English would carry ruin to his colonies, and menace the safety of his gold fleets.

It would be to misread history and to forget the change of times, to see in Hawkins and his successors mere commonplace buccaneers; to themselves they appeared as the elect to whom God had given the heathen for an inheritance; they were men of stern intellect and fanatical faith, who, believing themselves the favourites of Providence, imitated the example and assumed the privileges of the chosen people; and for their wildest and worst acts they could claim the sanction of religious conviction. In seizing negroes or in pillaging galleons they were but entering into possession of the heritage of the saints; and England had to outgrow the theology of the Elizabethan Calvinists before it could understand that the Father of Heaven respected neither person nor colour, and that His arbi-

¹ De Silva to Philip, November: *MS. Simancas*.

trary favour, if more than a dream of divines, was confined to spiritual privileges.

Again in the following year the slave fleet was fitted for the sea. It was at the crisis in Elizabeth's fortunes when the birth of James had given fatal strength to the party of the Queen of Scots, and to affront Philip was dangerous. When on the eve of sailing, Hawkins was called before the Council, in deference to the imperious remonstrances of De Silva, and was bound in securities not to approach the West Indies, or break the laws, or injure in any way the subjects, of the King of Spain. Shackled by these commands he sent out his vessels without himself accom-^{Third voyage.}panying them: no English record remains to say whither the expedition went; only it was known that the ships returned loaded with gold, and silver, and rich skins, and whispered stories reached De Silva's ears that the Council's orders had not been too closely followed. Whether the crews again effected some negro smuggling, which they and those who dealt with them were alike interested in concealing, or whether the spoils which they brought back with them formed the freightage of some Spanish vessel which never reached its port, the silent ocean kept its secrets; and when the bold adventurers came back to Plymouth, the Netherlands were plunging into mutiny, the Catholics in England were shattered by the explosion at Kirk-a-Field, and Elizabeth could afford to be more careless of Philip's pleasure.

Her subjects might now exact restitution at their pleasure for their murdered comrades in Spain,¹ and in the very midst of De Silva's outcries, in the autumn

¹ Hakluyt seems to have known nothing of any voyage of Hawkins's men in 1566; but the entries in the Council books prove that some voyage

might have succeeded after all. "There is a great change," Don Guerau wrote. "The complaints are loud against Cecil, who has manœuvred with astonishing skill. I know not what will happen. I can only say that with the party which the Duke commands in the country he can only fail through cowardice."¹ The Duke thought so too, and at Keninghall, where his anterooms were thronged with knights and gentlemen, all hanging upon his word, his courage came back to him. He refused at first to see the messenger. He said he was too ill to leave his house. If the Queen would send a member of the Council to him, he would answer her questions where he was.

But again after a day or two his heart failed him.

October.

A message came to him from Leicester, that he had nothing to fear from submission. If he persisted in disobedience he would be proclaimed a traitor. He would then have to commit his fate to the chances of civil war, and he persuaded himself that he would compromise the Queen of Scots.² His illness had no existence except in his alarms. The messenger had lingered waiting for his final resolution; he withdrew his answer and made up his mind to return. His friends and servants, clearer-sighted than himself, entreated him not to leave them. They held him by the knees, they clung to his stirrup-leathers as he mounted his horse, crying that he was going to the scaffold. But his spirits were gone. With a handful of attendants³ he rode back to London, and from

¹ "No se o que sucedera. Entiendo que segun los amigos que el Duque tiene en el Reyno no puede perderse sino por pusillaninidad." — Don Guerau to Philip, September 30.

² "O como dice por escusar el evidente peligro de la de Escocia que esta en poder de sus enemigos." — Same to the same, October 8.

³ "Dexando los pensamientos de rompimiento por ahora se vino con pocos caballos." — Ibid.

thence he was proceeding to Windsor, when he was met a few miles distant by an intimation that he was a prisoner, and must remain in charge of Sir Henry Neville, at Mr. Wentworth's house at Burnham.

Elizabeth, who had heard of the attitude which he had assumed in Norfolk, talked of placing him on his trial for treason. But such a challenge to the Peers was as yet too perilous an experiment, and Cecil's prudence interposed. He wrote rather than spoke to Elizabeth, because he had things to say which he intended for herself alone, and his letter remains to show the calm wisdom with which he controlled her passion. "No true councillor of her Majesty," he said, "could be without grief to see the affairs of the Queen of Scots become so troublesome to her;" nevertheless he thought she was more alarmed than the occasion required. "The case was not so terrible as her Majesty would have it." "The Queen of Scots would always be a dangerous person to her, but there were degrees by which the danger might be made more or less. If she would herself marry, it would diminish; if she remained single, it would increase. If the Queen of Scots was kept a prisoner, it would diminish; if she was at liberty, it would be greater." "If the Queen of Scots was manifested to be unable by law to have any other husband than Bothwell while Bothwell lived," it would diminish; if she was declared free, it would be greater. If "she was declared an offender in the murdering of her husband, she would be less able to be a person perilous; if her offence was passed over in silence, the scar of the wound would wear out." So much for the Queen of Scots. For the Duke of Norfolk, and for her Majesty's intentions towards him, she must remember that there were as yet no proofs against him,

"and if he was tried and not convicted, it would not only save but increase his credit." The Duke's offence, so far as could be seen at present, did not "come within the compass of treason," "and better it were in the beginning to foresee the matter than to attempt it with discredit, not without opinion of evil will or malice." He sent Elizabeth a copy of the statute of Edward III. He recommended that in the enquiry into Norfolk's behaviour the word treason should not be mentioned. "Better," he said, half in irony — "better marry the Duke to somebody. Provide him with a wife and his hopes of the Scotch Queen will pass away."¹

Elizabeth was but half convinced. On the 8th of October an order was made out to Sir Francis Knollys to take charge of the person of the Duke of Norfolk and conduct him to the Tower.² He was taken by surprise. He had communicated since his arrest with Don Guerau, under the impression that he was too large a person to be rudely handled, and still talking of changing the government and overthrowing Cecil. He believed himself to be popular in London. He had persuaded himself that the Queen could not risk the danger of sending him under a guard through the streets.

Don Guerau thought that he was mistaken. Though he regarded the heretics as children of hell, he respected their courage, nor did he expect, since the success at Hamburgh, that the city would be disturbed. The Government, to incur no unnecessary risk, sent the prisoner by water from Windsor. The banks be-

¹ Cecil to Elizabeth, October 6, 1569. Endorsed, "My advice to Her Majesty in the Duke of Norfolk's case": *Cotton MSS., Calig. C. 1.*

² Commission to Sir F. Knollys, October 8: *MSS. Domestic.*

tween Westminster and London bridge were lined with crowds, who, according to La Mothe, were vociferous in their expressions of displeasure, but there was no attempt at rescue; and when the Tower gates closed behind the head of the English nobility, no party in the country felt less pity for him than those whose fine-laid schemes he had played with and ruined by his cowardice.

On the 8th of October Don Guerau wrote to Philip:—

“The Earls of Northumberland, Westmoreland, Cumberland, and Derby—the whole Catholic body—are furious at the timidity which the Duke has shown. The Earl of Northumberland’s servant who was here a while ago about this business, has returned to me, and I have letters also in cipher from the Bishop of Ross. The sum of their message to me is this, that they will take forcible possession of the Queen of Scots. They will then make themselves masters of the Northern Counties, reëstablish the Catholic religion, and restore to your Majesty whatever prizes taken from your Majesty’s subjects now in the harbours on these coasts. They hope that when the Queen of Scots is free they may be supplied with a few harquebussmen from the Low Countries. I have referred their request to the Duke of Alva.”¹

¹ *MS. Simancas.*

CHAPTER XVIII.

THE Duke of Norfolk was in the Tower; Pembroke, Arundel, Throgmorton, and Lumley were under arrest at Windsor; Leicester alone, of the party about the Court who had been implicated in the marriage intrigue, had run for harbour, when he saw the storm coming, and had escaped imprisonment. But the revelation of so dangerous a temper so close at her own door, however veiled it might be under professions of fidelity, and the sudden breach with half her first advisers, who for ten years had stood loyally at her side, had shocked Elizabeth inexpressibly. The composing language of Cecil failed to quiet her. So furious was she with Norfolk, that in the intervals of hysterics, she said that, "law or no law," "she would have his head."¹ She was distracted with the sense of dim but fearful perils overshadowing her, which she felt to be near but could not grasp; and forever the figure of the prisoner at Tutbury floated ominously in the air, haunting her dreams and perplexing her waking thoughts. The ingenuity with which she had tempted Murray to produce the casket had failed of its purpose. The Peers, as well as the Council, had seen the damning proofs of Mary Stuart's guilt; not one among them had pretended to believe her innocent; yet so terrible to the mind of England was the

¹ "Allez, dict elle; ce que les loix ne pourront sur sa teste, mon autorité le pourra." — La Mothe au Roy, October 28: *Dépêches*, Vol. II.

memory of York and Lancaster, that, to escape a second war of succession, they were ready to condone the crimes of the second person in the realm; and one of them, the highest subject in the land, was willing to take the murderess to his bed. It was too late now for Elizabeth to throw herself upon the world's conscience, publish the letters, and declare her rival infamous. The Peers who, for very shame in the past winter, would have been compelled to consent, would now refuse to set their hands to her condemnation, and a proclamation unsupported by names which would be open to no suspicion, would no longer carry conviction to the people.

In August, chafed by the demands of the Court of France, irritated at the ferment at the Court, and at the consciousness that half her present vexations were her own work, through her refusal to marry the Archduke; half regretting, now when it was too late, that she had thrown away an opportunity which "would have pacified legitimate discontent,"¹ she was on the point of making a victim of the Earl of Murray, breaking her solemn promise, and forcing back upon him the sovereign whom only she had induced him to accuse.

She was now frightened into a recollection of her obligations. She discovered that the matter which had been proposed by her "was very weighty," that Murray's answer "had been with great deliberation

¹ "If the Queen's Majesty had in time married with the Archduke Charles, wherein you write she now uttereth her disposition, it had been the better way for her surety. But that matter hath been so handled as on the one side it is desperate that her Majesty will *bonâ fide* intend to marry, and on the other side it is doubtful whether upon the hard dealings past she may be induced to any further talk thereby. God work in her heart to do that may be most for her honour and surety."—*Sussex to Cecil*, October 11: *Cotton MSS., B. M.*

conceived, and carried with it much reason.”¹ But the difficulty of the Queen of Scots’ presence was none the less embarrassing. She could trust no one since the rupture in the Council but Cecil and two or three more. Lord Shrewsbury was now suspected for those Catholic tendencies on account of which he had been selected as the Queen of Scots’ guardian ; but the substitution of Huntingdon, though necessary for her immediate safety, had been received with strong expressions of displeasure by the ambassadors of the Catholic Powers. She had offended a powerful English nobleman, and it was to no purpose that she pretended that her motive in making the change had been Lord Shrewsbury’s ill health. The Earl demanded as a point of honour that the prisoner should be restored to his custody ;² and, although the danger of escape was notoriously increased, the Queen could not afford to alienate a tottering loyalty, and with the advice of Huntingdon himself, she consented.³

Again, therefore, there was an anxious consideration of the steps to be taken ; and again, the private papers of Cecil reveal the most secret thoughts of the Court. One short road there was. The past reigns afforded many precedents for the treatment of pretenders to the crown. The Queen “might do that which in other times kings and princes had done by justice — take the Queen of Scots’ life from her ;”⁴ or, if this was too severe a measure, she might keep her in strait

¹ Elizabeth to Murray, October 23: *MSS. Scotland*.

² Correspondence between Shrewsbury, Huntingdon, and Cecil, October 1569: *MSS. Queen of Scots*.

³ “Han quitado al Conde de Huntingdon de la guarda de la de Escocia que sera ya gran comodidad. La guarda del Conde de Shrewsbury no siendo tan estrecha hay grande comodidad de darle libertad” — Don Guerau to Philip, November 20: *MS. Simancas*.

⁴ Notes in Cecil’s hand, October, 1569: *Cotton MSS., B. M.*

prison till her health failed and she died, as poor Catherine Grey had died. But "her Majesty," who had shown no pity to the innocent wife of Lord Hertford, affected to "dread the slander to herself and the realm;" she found "her disposition was to show clemency, and she would not by imprisonment or otherwise use that avenge."

There remained therefore three possibilities: either to keep her in England as the unwilling guest of Lord Shrewsbury, prevented from escaping, but with no further restrictions upon her enjoyments and her exercise; or to let her go to France; or, finally, to send her back to Scotland as a prisoner.

The second could not be thought of. "It was in France that she did first pretend and publish her title to the Crown of England: she continued in the same mind, and no place could serve her better to prosecute still the same intentions."

In England, unless she was restricted from all communication, she would be the focus of perpetual conspiracy. "The number of Papists," in Cecil's judgment, "was constantly increasing." A large party in the State, "Papists, Protestants, and Neutrals," were "inclined from worldly respects," in consequence of the Queen's refusal to marry, to favour the Scottish title. The conspiracy in the Council had arisen from a craving "for the certainty of some succession," and for a union of the island under one sovereign. Every person in the country, who was discontented "either from matters of religion, court neglect, or poverty, or other causes," would take the side of the Queen of Scots for the mere hope of some change. Her presence in the realm would be a perpetual temptation. Her person, except as a close prisoner, could not be

effectively secured. She might escape, she might be carried off, or her keepers might be corrupted. The foreign Courts would never cease to worry the Queen with requests for her release. She might contract herself to some Prince who would demand her as his wife, and a refusal to part with her might be construed into an occasion of war. "Being in captivity," she would be increasingly commiserated; "her sufferings more lamented than her fault condemned." "The casualty of her death by course of nature would be interpreted to the worst." The Queen's own health "might be worn away with perpetual anxiety," and should she die suddenly, with the succession unprovided for, the consequences could not fail to be most dreadful.¹

The arguments, so far, pointed to the replacing Mary Stuart in the condition from which she had escaped in her flight from Lochleven, with this difference only, that Murray and Murray's party would be required to give hostages for the security of her life, and for her safe keeping during Elizabeth's pleasure.

Yet this measure, too, was not without its objections. If Murray died or was murdered, it was uncertain whether his party would be strong enough to hold her. She might escape as she escaped before. The Catholic Powers would have as many motives as ever for interference, and she herself "would be the bolder to practise being then in prison, because she would think her life in no danger through the hostages in England." There would be the same peril of her contracting a marriage abroad; while, should her own friends in Scotland gain the upper hand, she would be restored to the government; the Protestant religion would be

¹ Notes in Cecil's hand, October, 1569: *Cotton MSS., B. M.*

suppressed, and the two countries relapse into their old hostility. The great point was to hold her fast, and this could be done more easily in England than in Scotland. The government of the young King could then be firmly established, and should France or Spain "attempt anything for her," while she was in the Queen of England's hands, "her Majesty might justly, if she was thereto provoked, make an end of the matter by using extremity on her part."¹

The reasoning on both sides was so evenly balanced that either Cecil's mind wavered, or else his own judgment pointed one way and Elizabeth's wishes the other.² At last, however, a further suggestion presented itself. The root of Elizabeth's difficulties had been, first, her unnecessary interference to prevent the Scots from trying their Queen for the murder, and,

¹ Notes in Cecil's hand, October, 1569: *Cotton MSS., Calig. B. M.*

In a letter said to have been written by Leicester in 1585 there is a statement that in the autumn of 1569, in consequence of the discovery of Mary Stuart's intrigues, "the Great Seal of England was sent down and thought just and meet upon the sudden for her execution." The letter is printed by Mr. Tytler, *History of Scotland*, Vol. VII. p. 463, and the fact is by him assumed to be true. The records of this year are so complete, the changing feelings, the perplexities, the hesitation of the government are so copiously revealed in the loose notes of Cecil, that it is hard to understand how a resolution of so much magnitude could have been arrived at without some definite trace of it being discoverable. The contingency of the Queen of Scots' execution was obviously contemplated as not impossible; but in the absence of other evidence it is more likely either that Leicester, writing sixteen years after, made a mistake in the date, or that an error has crept in through transcribers. The original of the letter, I believe, is no longer extant.

² In following Cecil's papers there is always great difficulty in distinguishing his own opinions from the Queen's. Letters in his hand were often written by him merely as Elizabeth's secretary and against his own judgment. They were frequently accompanied by private communications from himself, in which he deplored resolutions which he was unable to prevent. In the present instance there are many papers all in the same hand, all written within a few days of each other, pointing to different conclusions.

secondly, her want of courage in publishing the results of the investigation at Hampton Court. She could no longer do this herself, but the public disgrace would be equally insured, if the Scots were now allowed to do what before they desired to do, if Mary Stuart was replaced in their hands, and was brought publicly to the bar in her own country.¹ It has been already mentioned that Sir H. Carey had been sent down to consult the Regent. This plan it is at least likely he was secretly instructed to propose.

Meanwhile Cecil set himself to discover whether Norfolk's conduct had further bearings than as yet he knew of. His position was critical in the extreme. Half the Council — the Reactionaries, Conservatives, Moderates, Semi-Catholics, or by whatever name they may be called — were in disgrace. Leicester, then as ever useless for any honourable purpose, was a dead weight upon his hands, and he was left alone with those who along with himself were dreaded as the advocates of revolution — the Lord Keeper, the Earl of Bedford, Sir Walter Mildmay, Sir Francis Knollys, and Sir Ralph Sadler. These half-dozen men, among whom Bedford alone possessed pretensions to high birth, had to undertake the examination of the noblemen who had so lately sat at the same table with them. The first interviews were said to have been sufficiently stormy.² Pembroke avowed his desire for the Norfolk marriage, and did not shrink in any way from the re-

This was certainly thought of, although it does not appear among Cecil's notes. Sir Henry Neville writing to him on the 4th of October says: "The trial of the murder must needs be a safety unto the Queen, and such a defacing unto the other as I think will pluck away that love that all your other devices will not." — *Domestic MSS., Rolls House.*

² "Pasaron entre ellos muchas palabras de passion." — Don Guerau to Philip, October 8: *MS. Simancas.*

sponsibility of having advised it. So far as the Lords had acted together, they had done nothing which could be termed disloyalty. Cross-questioning failed to draw anything from them which incriminated the Queen of Scots,¹ and Pembroke both with success and dignity defended the integrity of his own intentions.² But he said that he was contented to submit to the Queen's pleasure, and it was not Cecil's policy to press upon him. None better understood than he how to build a bridge for men to retreat over out of a false position. The Bishop of Ross declared that "he had never dealt with any other except such as had credit with the Queen."³ Cecil, who had not yet learned the Bishop's power of lying, let the answer pass. To extract truth from Leslie required sharper handling than words.

Conciliation, except with the two chief offenders, was the order of the day. Traces, though indistinct, had been found of the hand of Ridolfi. He was confined, rather as a guest than as a prisoner, in the house of Walsingham, and was desired to place in writing as much as he knew of a Catholic conspiracy. But the questions put to him were insignificant and easily evaded. His house was searched without his knowledge, but he had concealed or destroyed all his

¹ "La mayor fuerça de la probança tiraba á culpar la de Escocia, á la qual descargáron todos como era justo." — Don Guerau to Philip, October 8: *MS. Simancas*.

² "In those conferences that I have been at of the Queen of Scots' marriage it is not unknown to you, my Lord of Leicester and Mr. Secretary, to whose knowledge in this behalf I appeal, with what earnestness I have always protested with my life, lands, body, and goods, the maintenance of God's true religion now established by her Majesty, and the conservation of her Majesty's person, quiet, estate, and dignity against all the attempts — yea, or motioners, of the contrary." — Pembroke to the Council, October, 1569.

³ Examination of the Bishop of Ross, October 10: *Burghley Papers*, Vol. I.

important papers; and so little suspicion had the Queen of the nature of the person that she had in her hand, that when he was released from arrest, she consulted him about the Spanish quarrel, and "desired his secret opinion" as to the best means of accommodating her differences with Philip.¹

Against Norfolk the Queen was still violently angry. Although she had no proof that he had meditated treason, she felt instinctively that she could not trust him. He wrote repeatedly to her, insisting upon his loyalty, and "taking God to witness he never thought to do anything that might be disagreeable to her good pleasure:" but fine phrases of this kind had lost their power; Cecil's plan of rendering him harmless by providing him with another Duchess was seriously contemplated; and it was intimated to him, that at all events he would not leave the Tower till he had given a promise in writing to think no more of the Queen of Scots.

The Duke's friends in the Council had abandoned their project sincerely. The Duke himself had no intention whatever of abandoning it. The great Catholic party was still entire. The mine which they had dug was still loaded, and the hope of foreign assistance as strong as ever. The Duke still expected that he would reap the fruit of all this, and least of all would he part with his hope of Mary Stuart. But he desired to recover his liberty. Lies cost Norfolk nothing. He was ready to say whatever would answer his purpose. He feared only that if he gave the Queen the promise which she demanded from him, Mary Stuart herself might take him at his word, or the Bishop of

¹ Leicester and Cecil to Walsingham, October 7, October 19 October 23: *Domestic MSS.*

Ross perhaps, in irritation at his apostasy, might tell secrets which would be dangerous to him if revealed. He drew up therefore, in the most complete form, the required renunciation; he gave emphasis to his professions by the most elaborate asseverations of good faith; and while he sent the original of this document to Elizabeth, he forwarded a copy of it to the Bishop of Ross, desiring him to tell his mistress, that he had yielded only in order to escape from the Tower, and that he had no intention of observing an engagement which had been extorted from him by violence.¹

Could Norfolk have known the supreme willingness with which Mary Stuart had been ready to throw him over, should it suit her convenience to do so, he would have been less ready to lie for her. His late imbecility had not raised him in her good opinion; but as he might still be useful, she flattered him into the continuance of his folly; and both he and she, while they besieged Elizabeth with protestations of their honesty, fed in secret upon visions of coming triumph when Alva's legions would land at Harwich or in Scotland, and every Catholic in the island would spring into the field to join them.

But if either these hopes were to be realized or their professions successfully maintained, it was necessary to prevent the Northern Counties from exploding into

¹ "One great fault I committed. When I should send in my submission to her Majesty, thinking that it would not long be kept close but go abroad, fearing that if it should come to the Bishop's ears he would in a rage accuse me of my writings, — to prevent the same I sent the copy of it to him, to see, before I sent it to her Majesty, saying that necessity drove me to signify this or else I was like to lie here while I lived; and therefore I desired him that he would not mislike thereof, and that he would also write to the Queen of Scots in that behalf that I did it of necessity and not willingly. I, trusting in worldly policy, have sped like a mired horse — the further he plungeth the further he is mired." — *Confession of the Duke of Norfolk: MSS. Mary Queen of Scots.*

premature rebellion; and this might prove less easy than Norfolk wished. For years past — from the day of her return from France to Holyrood — Mary Stuart had been in correspondence with the gentlemen of Yorkshire and Northumberland. The death of Darnley had cooled their passion for her, but when she came to England she soon “enchanted” them again “by her flexible wit and sugared eloquence.”¹ Before Sir Francis Knollys cut short her levées at Carlisle, they had listened in hundreds to her own tale of her wrongs, and besides their religion and political predilections for her, they had been set on fire with a chivalrous enthusiasm for the lovely lady who was in the hands of the magicians.

When she was removed from Carlisle to Bolton, the gates of Scrope’s castle were usually thrown open to the neighbourhood, and the eager knights-errant had free access to her presence. When at times she was thought likely to attempt an escape and the guards were set upon the alert, loyalty, like love, still found means to penetrate the charmed circle. Every high-spirited young gentleman, whose generosity was stronger than his intelligence, had contrived in some way to catch a glance from her eyes and to hear some soft words from her lips, and from that moment became her slave, body and soul.

Conspicuous among these youths were the Nortons, of whom the reader has heard as the intending assassins of the Earl of Murray.

The father, Richard Norton, was past middle life at the time of the Pilgrimage of Grace. It may be assumed with confidence that he was one of the thirty thousand troopers who followed Robert Aske from

¹ Notes in Cecil’s hand, October 6: *Cotton MSS., Calig. C. 1.*

Pomfret to Doncaster behind the banner of the Five Wounds of Christ. Now in his old age, he was still true to the cause. He had been left like a great many others unmolested in the profession and practice of his faith; and he had bred up eleven stout sons and eight daughters, all like himself devoted children of Holy Church. One of these, Christofer, had been among the first to enroll himself a knight of Mary Stuart. His religion had taught him to combine subtlety with courage; and through carelessness, or treachery, or his own address, he had been admitted into Lord Scrope's guard at Bolton Castle. There he was at hand to assist his lady's escape, should escape prove possible; there he was able to receive messages or carry them; there, to throw the castellan off his guard, he pretended to flirt with her attendants, and twice at least by his own confession, closely as the prisoner was watched, he contrived to hold private communications with her.

The scenes which he describes throw sudden and vivid light upon the details of Mary Stuart's confinement. The rooms occupied by her opened out of the great hall. An antechamber and an apartment beyond it were given up to her servants. Her own bedroom, the third of the series, was at the farther extremity. A plan had been formed to carry her off. Lady Livingstone was to affect to be in love with young Norton, and had pretended to promise him a secret interview in the twilight outside the moat. The Queen was to personate the lady, and she and the cavalier were to fly together. It was necessary that Norton should see Mary Stuart to direct her what she was to do. He was on duty in the hall. By a preconcerted arrangement, a page in the anteroom took liberties

with one of the maids. There was much screaming, tittering, and confusion. Norton rushed in to keep the peace, and, sheltered by the hubbub, contrived to pass through and to say what he desired. The scheme, like a hundred others, came to nothing; but as one web was unravelled out, a second was instantly spun. Another time Mary Stuart had something to say to Norton; and this scene — so distinct is the picture — may be told in his own words: —

“One day when the Queen of Scots, in winter,¹ had been sitting at the window-side knitting of a work, and after the board was covered, she rose and went to the fire-side, and, making haste to have the work finished, would not lay it away, but worked of it the time she was warming of herself. She looked for one of her servants, which indeed were all gone to fetch up her meat, and, seeing none of her own folk there, called me to hold her work, who was looking at my Lord Scrope and Sir Francis Knollys playing of chess. I went, thinking I had deserved no blame, and that it should not have become me to have refused to do it, my Lady Scrope standing there, and many gentlemen in the chamber, that saw she spake not to me. I think Sir Francis saw not nor heard when she called of me. But when he had played his mate, he, seeing me standing by the Queen holding of her work, called my captain to him and asked him if I watched. He answered sometimes. Then he gave him commandment that I should watch no more, and said the Queen would make me a fool.”²

How full of life is the description! The castle hall,

¹ 1568-69.

² Confession of Christofer Norton, April, 1570; *MSS Domestic, Rolls House*.

the winter day, the servants bringing up the dinner, the game at chess, and Maimouna, with her soft eyes and skeins of worsted, binding the hands and heart of her captive knight. Two years later the poor youth was under the knife of the executioner at Tyburn.

And such as Norton was, were a thousand more who hung about Bolton, Wingfield, Tutbury, wherever Mary Stuart was confined, lying in wait for a glimpse of her as she passed hunting, surrounded by her guards, or watching at night among the rocks and bushes for the late light of the taper which flickered in her chamber windows.¹

And now all these youths, through the summer of 1569, had been fed with the hope that their day was coming, when either the noblemen of England united in Council would force the Queen to set her captive free, or they themselves, her glorious band of deliverers, were to burst the walls of this prison and bear her away in triumph. The adhesion of the Duke of Norfolk to their party, coupled with some uncertainty among themselves, had modified their original programme. The Duke having a large party among the Protestants,² they intended to say nothing about religion till they had used their help and could afford to show their colours. The pretext for the rising was to be the liberation of Mary Stuart, the establishment of the succession in her favour, and the removal of evil councillors about the Queen.³ The signal for rebellion was to be the withdrawal of the Duke of Norfolk from the Court. The Earls of Westmoreland and North-

¹ One of Mary Stuart's peculiarities—a remarkable one in those times—was that she seldom went to bed till one or two in the morning.

² "Car infinis Protestants sont pour le Duc."—La Mothe to the King October 8.

³ Confession of the Earl of Northumberland: *Border MSS.*

umberland and Leonard Dacres were then to take the field, while Norfolk, Arundel, Montague, Lumley, and the rest of the confederates were to raise the East and the South.¹ Confident in their own strength, confident in the seeming union of three quarters of the nobility, confident in the provisions which the Spanish Ambassador had made in Alva's name and which Alva intended to observe so far as he might find expedient, they believed that they had but to show themselves in arms, for all opposition to go down before them.

The whole scheme had been thrown into confusion by the irresolution of Norfolk. Leonard Dacres, Westmoreland, old Norton, and a number of gentlemen, were collected at Lord Northumberland's house, at Topcliff, waiting for news from London. The Duke, in the short fit of courage which returned to him at Keninghall, had sent to Northumberland to say "that he would stand and abide the venture and not go up to the Queen."² They were expecting every moment to hear that the Eastern Counties had risen, when one midnight, at the end of September, they were roused out of their sleep to be told that a messenger had come. It was a servant of Norfolk's. He would not come to the house, but was waiting "a flight shot from the park wall." Westmoreland went out to him and came back presently to say "that the Duke, for the brotherly love they bore him, begged them not to stir or he would be in danger of losing his head."

The preparations for the rising were so complete that there was scarcely a hope that their intentions could be concealed. Dacres and Northumberland,

¹ Confession of Thomas Bishop, May 10, 1570: *MSS. Hatfield.*

² Confession of the Earl of Northumberland: *MSS. Border.*

"seeing small hopes of success, were desirous to put off the matter," but many of the gentlemen being "hot and earnest," cursed the Duke and their unlucky connexion with him, and, careless whether he lived or died, "resolved to stir notwithstanding." The Lords were obliged to seem to yield. As Norfolk had turned coward, they were no longer tied by other considerations: they could now change their cry; and when Westmoreland enquired what "the quarrel was to be?" there was a general shout, "For religion."

Lord Westmoreland made an objection curiously characteristic of the times.

"Those," he said, "that seem to take that quarrel in other countries are counted as rebels, and I will never blot my name, which has been preserved thus long without staining."¹ "A scruple" rose, "whether by God's law they might wage battle against an anointed Prince, until he or she was lawfully excommunicated by the Head of the Church."

Three priests were present, to whom the question was referred. One, a Doctor Morton, by whom Northumberland had been reconciled two years before, said that, as the Queen had refused to receive the Pope's Nuntio, she was excommunicated then and there by her own act. The other two thought direct rebellion unlawful "until the sentence had been orderly published within the realm."²

The Earls might have been pardoned for not anticipating the weakness of Norfolk; they were inexcusable in not having discovered beforehand the condition of Catholic opinion on a point so vital. The party broke up with this new element of disunion among

¹ Confession of the Earl of Northumberland: *MSS. Border.*

² *Ibid.*

them. They agreed that at least for the present they must remain quiet; and Northumberland sent Sir Oswald Wilkinson to the Spanish Ambassador to ascertain more certainly what they were to look for from Flanders.¹ So October passed away, bringing with it, unfortunately, a fresh defeat of the Huguenots at Moncoutour to excite the Catholics, while at the same time an unexpected commission of an alarming kind came over from Brussels. The Spanish Ambassador had been released from restraint, and Elizabeth had given him to understand that if some person was sent to her with powers direct from the King of Spain, she would treat for the restoration of the money. Such a person was now announced to be coming, bearing, as she desired, a commission from Philip; but the minister selected for the mission was the ablest officer in the Duke of Alva's army, Chapin Vitelli, Marquis of Chetona. Why a soldier had been chosen for a diplomatic embassy was a mystery which misled alike the Court and the Catholics. In reality the Duke of Alva, finding a large responsibility thrown upon him by Philip, and ignorant how far he could depend upon the representations of Don Guerau and his friends, desired to have some professional opinion on the relative strength of the Queen and the Catholics. Chapin was sent over to negotiate—should negotiation prove possible—with all sincerity. If any disturbance broke out, he was to avail himself of it to obtain better terms for his master; but he was not intended to take part actively under any circumstances, and was merely to use his eyes in case ulterior measures should be eventually necessary.² The heated imagination of the

¹ Confession of Oswald Wilkinson: Murdin.

² That the hopes held out by Don Guerau to the Catholics were not

Catholics, however, saw in him the herald of the coming army of liberation. The news spread over the kingdom, and the fire which was beginning to smoulder shot again into a blaze. The impression was confirmed by the great anxiety of the Court. Sixty gentlemen who attended Chapin from Flanders were detained at Dover, and he was allowed to take on with him no more than five attendants;¹ while owing to the suspension of the more moderate element in the Council, a step was taken which, though often threatened, had been hitherto delayed by the influence of Pembroke and Arundel. The Act of Uniformity was at last to be enforced, and every magistrate in the kingdom was to be required to subscribe to an obligation to maintain the law, and himself to set an example of obedience by attendance at church.²

yet to be fulfilled is perfectly clear from a letter written by Philip during the autumn. Speaking of the proposed insurrection and the overtures of the Catholics to Don Guerau, Philip says:—

“No se puede ni debe tratar dello hasta ver al fin que tiene la negociation que se trae sobre restitucion de lo arestado, que si sucede como se pretende, por mi parte no se dejará de levantar adelante la antigua amistad que mis pasados y yo habemos tenido con esa corona: pero no se haciendo asi, ya entonces seria menester tomar otro camino, y para tal caso es muy conveniente que vos me vais siempre avisando como lo haceis.”

Philip was just then troubled with an insurrection of the Moors, and having Flanders on his hands also, was most unwilling to add to his embarrassments. The English Catholics might rebel if they pleased. If they could overthrow Elizabeth without assistance from himself, he would be very well satisfied, and if vague promises held out in his name encouraged them to rebel, the insurrection would at least incline Elizabeth to come to terms with Spain.

¹ La Mothe to the King, October 8.

² Form to be subscribed by all magistrates. Addressed to the Lord Keeper.

“Our humble duties remembered to your Lordship. This is to signify that we whose names are by ourselves underwritten do acknowledge that it is our bounden duty to observe the contents of the Act of Parliament entitled An Act for the Uniformity of Common Prayer and Service in the

LIBRARY OF
HINDU CHRISTIAN COLLEGE,
ALLAHABAD

The ecclesiastical arrangements everywhere were in extreme confusion; and the principles of Anglicanism had been worked with extreme looseness.¹

Church and the Administration of the Sacraments. And for observation of the same law we do hereby formally promise that every one of us and our families will and shall repair and resort at all times convenient to our parish church, or upon reasonable impediment, to other chapels or places for the same common prayer, and there shall devoutly and duly hear and take part of the same common prayer and all other divine service, and shall also receive the Holy Sacrament from time to time according to the terms of the said Act of Parliament. Neither shall any of us that have subscribed do or say or assert, or suffer anything to be done or said by our procurement or allowance, in contempt, lack, or reproof of any part of religion established by the foresaid Act." — *MSS. Domestic*, November, 1569.

¹ In connexion with the bond of the magistrates, reports were sent in of the condition of different dioceses. The following account of the diocese of Chichester may perhaps be an illustration of the state of the rest of the country. Sussex being a southern county was one of those where the Reformation was supposed to have made most progress.

Disorders in the Diocese of Chichester, December, 1569.

"In many churches they have no sermons, not one in seven years, and some not one in twelve years, as the parishes have declared to the preachers that lately came thither to preach. Few churches have their quarter sermons according to the Queen Majesty's injunctions.

"In Boxgrave is a very fair church, and therein is neither parson, vicar, nor curate, but a sorry reader.

"In the Deanery of Medhurst there are some beneficed men which did preach in Queen Mary's days, and now do not nor will not, and yet keep their livings.

"Others be fostered in gentlemen's houses, and some betwixt Sussex and Hampshire, and are hinderers of true religion and do not minister. Others come not at their parish church nor receive the Holy Communion at Easter; but at that time get them out of the country until that feast be passed and return not again until then.

"They have many books that were made beyond the seas and they have them there with the first; for exhibitioners goeth out of that shire and diocese unto them beyond the seas. As to Mr. Stapleton, who, being excommunicated by the Bishop, did fly and avoid the realm, these men have his goods and send him money for them.

"In the church of Arundel certain altars do stand yet still to the offence of the godly which murmur and speak much against the same.

"They have yet in the diocese in many places thereof images hidden and other Popish ornaments, ready to set up the mass again within 24 hours'

The bishops, who were sure of Elizabeth's countenance in persecuting Puritans, could not trust to be supported if they meddled with the other side; and it was not till her present alarm that the Queen was roused to a conviction that she could no longer halt safely between two opinions.

In the neighbourhood of London the Commission was not ill received. A few magistrates here and there hesitated at the bond from "scrupulosity of conscience," but all were ready to give securities for their allegiance, and to renew their oaths to the Queen "as their lawful sovereign."

The experiment was far more critical in the Northern Counties, where the mere rumour of the intention was so much fresh fuel on the fire. There, in their unanimity of opposition, the people were unconscious of the strength of Protestantism elsewhere, and they despised as well as hated it.

Doctor Morton, after the breaking up of the assembly at Topcliff, travelled rapidly about the country to ascertain the general feeling on the difficulty which

warning, as in the town of Battle and in the parish of Lindefield, where they be yet very blind and superstitious.

"In the town of Battle, where a preacher doth come and speak anything against the Pope's doctrine, they will not abide, but get them out of the church.

"In many places they keep yet their chalices, looking to have mass again, whereas they were commanded to turn them into communion cups after our fashion, keeping yet weight for weight. Some parishes feign that their chalices were stolen away, and therefore they ministered in glasses and profane goblets.

"In many places the people cannot yet say their commandments, and in some not the articles of their belief.

"In the cathedral church of Chichester there be very few preachers resident — of thirty-one prebendaries scarcely four or five.

"Few of the aldermen of Chichester be of a good religion, but are vehemently suspected to favour the Pope's doctrine; and yet they be justices of the peace." — *MSS. Domestic, Rolls House.*

had risen. He had been, or professed to have been, in other parts of the island as well, and to have learnt the universal sentiments of the English nation. On his return old Norton and many others again repaired to the Earl of Northumberland. They had gone so far, they said, that they could not go back, and they must either rise or "fly the realm." "It would be a great discredit to leave off so godly an enterprise; all England was looking to see what they would do, and would assist when the first blow was struck."¹ Morton followed to the same purpose. As to the excommunication, he said they ought rather to prevent it than wait for it: unless the government was changed the Pope would proceed with the censures, and then not only their souls would be in danger, but the independence of England might be lost also.² He implored

¹ Northumberland's confession: *Border MSS.*

² "Doctor Morton said that the Christian princes, through the Pope's persuasion, would seek to subvert us if we did not seek to reform it within ourselves; affirming that he had travelled through the most part of England, and did find the most part of the common people much inclined thereto if so be that any one would begin to take the enterprise in hand." Francis Norton to Leicester and Cecil: *Flanders MSS., Rolls House.*

With the laudable desire of simplifying the study of the MSS. in the Record Office, the keepers have divided them into groups according to the country to which they are supposed to refer. In illustration of the utility of this arrangement, the student of the history of the Northern Rebellion must look first in the collection called the Border Papers, because the action lay chiefly in Yorkshire and Northumberland. When the movement surges across the Tweed the traces in the Border Papers are lost, and he must turn to the series for Scotland. To fill out his picture he must refer to a separate collection, supposed to be devoted to the Queen of Scots. For the opinions so supremely important of the English ministers he must look to their correspondence under the head of Ireland, Germany, France, or Italy. The confessions of the important prisoners are in the Domestic Papers, because they were tried in London; and the account of the same scenes given for instance by Francis Norton is to be found in the *Flanders Papers*, because he escaped to the Duke of Alva. The general result has been hitherto hopeless confusion; the classification however is now to some extent rectified in the calendars of the Master of the Rolls.

them to delay no longer, but to take arms at once for their country, their Saviour, and their church. The Duke of Norfolk had failed them, but they were happy in the loss of his support. With Norfolk for an ally they could have risen only for the settlement of the succession; they could now touch the heart of every Christian Englishman by declaring themselves the defenders of the ancient faith.¹

The priest's eloquence was not entirely successful. The temper of the south of England was known only "upon conjectures." Northumberland wrote to various friends, but "was answered with such coldness as misliked him."² In the autumn fairs in Yorkshire, men formed and gathered in knots and groups, and the air was full of uneasy "expectations of change." Still nothing was done. Lord Derby, among others, was ominously silent, which, as Northumberland said, "greatly discouraged him." The Queen of Scots and Don Guerau equally recommended quiet.

Meanwhile Lord Sussex, who was established at York as President of the Council, was anxiously watching the condition of the Northern districts. As a friend of Norfolk, Sussex had been counted upon by the Confederates as likely to be favourable to them. In their altered position they were less able to tell what to expect from him. At the beginning of October he invited the Earls of Northumberland and Westmoreland to York, to give him the benefit of their advice. Wishing to feel his temper they immediately com-

¹ "Our first purpose was the establishment of the succession. Since the apprehension of the Duke of Norfolk the setting up of religion, meaning Papistry, is our purpose."—Declaration of George Tongue, November 8: *Border MSS.*

² Northumberland's confession: *MS. Ibid.*

plied;¹ and they found at once that he had not the slightest disposition towards disloyalty. The Norfolk marriage was talked over. They both assured him "that they would never stand to any matters that should be to her Majesty's displeasure or against her surety;"² and Sussex believed them and allowed them to return to their houses. Reports reached him afterwards that they had taken arms, and that the country was up; but he ascertained that their stables were more than usually empty, that there were no signs of preparation in their establishments, and that at least for the present no danger was to be apprehended. He had a narrow escape of falling a victim to his confidence. Assured of the popular feeling on their side, the Earls believed that if they could seize York and make themselves masters of the local government, Lord Derby and the other waverers would no longer hesitate to join them. It was proposed that Northumberland with a few hundred horse should make a sudden dart upon the city some Sunday morning, lie concealed in the woods till the bell "left knolling for sermon," and then ride in, stop the doors of the cathedral, and take President and Council prisoners. "Treason," however, had a terrible sound to an English nobleman. They reflected "that the thing might cause bloodshed," and so "passed it over;"³ waiting till circumstances came to their assistance and decided their course for them.

Their names were often mentioned in the examinations which followed on Norfolk's arrest; and it came out that they had been in correspondence with Don

¹ Sussex to Sir George Bowes, October 9: *Memorials of the Rebellion of 1569.*

² Sussex to the Queen, October 30: *Border MSS.*

³ Northumberland's confession: *MS. Ibid.*

Guerau. The Queen required their presence in London, and though Sussex doubted the prudence of sending for them till the winter was further advanced, Elizabeth was peremptory, and insisted that they should come to her without delay.

The two noblemen whose names were to acquire a brief distinction were by position and family the hereditary leaders of the North — it may be said the hereditary chiefs of English revolution. Northumberland was the descendant of the great Earl who had given the throne to the House of Lancaster. His father, Sir Thomas Percy, had been attainted and executed after the Pilgrimage of Grace, but the confiscated estates were restored to the old house by Queen Mary, and the young Earl had come back to his inheritance amidst the passionate enthusiasm of a people to whom the Percies had been more than their sovereign.

The Earl of Westmoreland was the head of the great House of Neville, from a younger branch of which had sprung Warwick the King-maker. He was the great-grandson of Stafford Duke of Buckingham. He had married a sister of the Duke of Norfolk. No shield in England showed prouder quarterings, and no family had played a grander part in the feudal era of England.

Had the personal character of either earl been equal to their lineage, they too might have changed a dynasty, and it was with no unreasonable misgivings that Sussex prepared to obey his mistress's commands. There was not a single nobleman in the North on whom he felt that he could rely. The Earl of Cumberland was "a crazed man," and his tenants were under the leadership of Leonard Dacres, who had married his sister. The Earl of Derby, though said

to be "soft," was a Catholic at heart, and "the five lords" were generally spoken of as likely, if not certain, to support each other.

The Queen's orders found the Earls at Raby. Westmoreland at once refused to obey.

November.

"Evil rumours," he said, "had been spread abroad about him and carried to the Court. He did not care to trust himself away from his friends;"¹ and as an intimation that he did not intend to be taken without resistance, he reviewed his retainers under arms.² Northumberland varied his answer by saying that he was busy and for the present could not comply, but he returned to Topcliff "determined not to rise," and meaning, or believing that he meant, to go up to London in the winter.³

Sir George Bowes, however, sent word to Sussex that mischief was gathering; and Sussex, terrified at his own weakness, wrote to Elizabeth to say that, although he would "do his part" if she required him to take the Earls prisoners, he recommended her to overlook their disobedience, and "call them home to her favour."⁴ He was disinclined to Cecil and Cecil's policy. He preferred the old order of things to the new. Like the rest of the old Peers, he was in favour of the Queen of Scots' succession; and without a disloyal thought, he sympathised, to some extent at least, with the Earls' dissatisfaction.

To compose matters if possible before receiving further positive directions, he sent his secretary to Topcliff to persuade Northumberland to go to the Queen

¹ Sussex to the Queen, November 8

² November 6.

³ Confession of Thomas Bishop: *MSS. Hatfield.*

⁴ Sussex to the Queen, November 8; Sussex to Cecil, same date: *MSS. Border.*

at once. Northumberland answered that he had "not been well used," made many objections, but "in the end" seemed to yield, and promised to prepare for his journey. It appeared, however, that Catholic hopes and Catholic fanaticism had been stirred too deeply. There was a natural fear that the Queen had discovered the whole plot, and the Countess Anne¹ was made of harder stuff than her husband. The secretary was detained at Topcliff for some hours while his horses were resting; at midnight² a message came to bid him haste away or it would be the worse for him; while a servant, who had come probably no farther than from the Countess's apartment, woke Northumberland from his first sleep with the news that, "within an hour Sir Oswald Wolstrop would be upon him to carry him muffled to Elizabeth." The Earl sprang from his bed, ordered his horses to be saddled, the bridge over the Swale to be broken, and the church bells to be rung backwards. The jangled sound broke on the ears of Sussex's emissary as he rode out of the town. His guide, when he asked what it meant, "sighed, and answered, he was afraid it was to raise the country."³

The cry was out that "the Pope had summoned England once; he was about to summon it again, and then it would be lawful to rise against the Queen, for the Pope was head of the Church."⁴ By the morning bodies of armed men were seen streaming from all points upon the road to Raby. Northumberland himself, old Norton and his sons, Captain Reed, who had

¹ Daughter of Somerset Earl of Worcester and niece of Lord Montague

² November 9.

³ Sussex to the Queen, November 10: *MSS. Border.*

⁴ Evans to the Council, November 8: *MS. Ibid.*

commanded the Bolton guard, with twenty of his harquebussmen, Markinfield, Swinburn, and a hundred other gentlemen, made their way to the Earl of Westmoreland. The country was covered with flying peasants, driving their cattle before them for fear of plunder, and with scattered bands of insurgents who were seeking for arms. Irresolute still, Northumberland had meant to go first to Alnwick whatever else might follow. Before he left Topcliff he addressed a few weak words to Elizabeth, "protesting that he never intended any disloyal act towards her;" begging her of her mercy to take compassion of his miserable state and condition," to listen to no false reports of him, and "to send him some comfort, that he might repair to her presence."¹ But he was drawn with the rest to Raby, where he and they were to decide whether they would fight, or fly, or submit. There, two days after, at a general council, the question was once more discussed. They were all uncertain; the Nortons were divided among themselves, Northumberland and Swinburn were inclining to make for Flanders, and there was no resolution anywhere. They had all but broken up, and "departed, every man to provide for himself," when Lady Westmoreland, Lord Surrey's daughter, threw herself among them, "weeping bitterly," and crying "that they and their country were shamed for ever, and that they would seek holes to creep into." The lady's courage put spirit into the men. There was still one more chance: while they were debating, a pursuivant came from Sussex requiring the Earls, for the last time, to return to their allegiance. If they were falsely accused to the Queen, Sussex said that

¹ Northumberland to the Queen, November 13 (*sic*): *Border MSS*
The date is obviously wrong. The Earl left Topcliff on the 10th.

their friends would stand by them. If they had slipped, their friends would intercede for them."¹ But it was now too late. Northumberland proposed to go on to Alnwick, raise his people there, and join the others on the Tyne; but the Nortons and the other gentlemen would not allow him to leave them. The pursuivant was detained till he could carry back a fuller answer than could be expressed in words; and at four o'clock the following afternoon, Sunday, the 14th of November, as the twilight was darkening, Northumberland, Westmoreland, Sir Christofer and Sir Cuthbert Neville, and old Richard Norton entered the city of Durham. With sixty followers armed to the teeth behind them, they strode into the cathedral; Norton, with a massive gold crucifix hanging from his neck, and carrying the old banner of the Pilgrimage, the cross and streamers and the five wounds. They "overthrew the communion board;" they tore the English bible and prayerbook to pieces, the ancient altar was taken from a rubbish heap where it had been thrown, and solemnly replaced, and the holy water vessel was restored at the west door; and then, amidst tears, embraces, prayers, and thanksgivings, the organ pealed out, the candles and torches were lighted, and mass was said once more in the long-desecrated aisles.

"Tell your master what you have seen," Northumberland said to the messenger, when it was over. "Bid him use no further persuasions; our lives are in danger, and if we are to lose them, we will lose them in the field."²

The first step once ventured there was no more hesitation. On Monday morning they moved south, to

¹ Sussex to the Earls, November 13: *Memorials of the Rebellion.*

² Sussex to Elizabeth, November 15: *MSS. Border.*

Darlington, gathering force like a snowball, and with herald's voice and written proclamation, at cross road and village green, in town hall and pulpit, they made known their intentions to the world, and appealed to the religious conscience of the people. "They intended no hurt to the Queen's Majesty nor her good subjects," they said; "but inasmuch as the order of things in the Church and matters of religion were set forth and used contrary to the ancient and Catholic faith, their purpose was to reduce all the said causes of religion to the ancient custom and usage, and therein they desired all good people to take their part."¹ Sussex could do nothing to arrest the movement. He sent out a Commission to assemble the "force of the shire;" but if it came together he feared that it would be more likely to go over to the rebels than fight for the Queen; could he trust the levies otherwise, he had no money to pay them with; and Yorkshiremen, as Sir George Bowes had to warn him, would never serve without wages."² Slow, per-

¹ Proclamation of the Earls, November 15: *Memorials of the Rebellion*. The form was afterwards slightly varied, running thus:—"We, the Earls of Northumberland and Westmoreland, the Queen's true and faithful subjects, to all the same of the old Roman Catholic faith. Know ye that we with many others well disposed, as well of the nobility as others, have promised our faith to the furtherance of this sure good meaning. Forasmuch as divers disordered and ill-disposed persons about the Queen's Majesty have by their crafty and subtle dealing, to advance themselves, overthrown in the realm the true and Catholic religion, and by the same abuseth the Queen, dishonoureth the realm, and now lastly seeketh to procure the destruction of the nobility: We, therefore, have gathered ourselves together to resist force by force, and rather by the help of God and of you good people, to reduce these things amiss, with the restoring of all ancient customs and liberties to God and this noble Realm. And lastly, if we shall not do it ourselves, we might be reformed by strangers, to the great hazard of the state of this our country, whereunto we are all bound. God save the Queen."—Proclamation of the Earls, November 19: *MSS Border*.

² Bowes to Sussex, November 17.

plexed, irresolute, the same at York as he had been six years before in his unlucky command in Ireland, Sussex could see nothing but the uselessness of resistance, and recommended Elizabeth to come to terms, if possible, with the insurgent leaders. "If the rebels prepare to fight," he wrote, "they will make religion their ground; and what force they may have in that cause, and how faintly the most part of the country that go with me will fight against that cause, and what treason may be wrought amongst mine own force for that cause, I know not. But truly, and upon my duty to your Majesty, I have great cause to doubt much of every of them, and so I do indeed. Your Majesty must consider whether it shall be greater surety for you to pardon these Earls their part taken and their offences past, to call them to attend at your Court, where you may be sure from any practice, and this winter to purge this country and the other parts of the realm of the ill affected; and so to avoid the danger of foreign aid and make all sure at home; or else to hazard battle against desperate men, with soldiers that fight against their conscience.

"If it come to the fight, either God shall give you the victory, or if any man will stand with me, you shall find my carcase on the ground, whatever the rest of my company do; for besides my duty to your Majesty, I will for my conscience' sake spend all my lives, if I had a thousand, against all the world that shall draw sword against our religion; but I find all the wisest Protestants affected that you should offer mercy before you try the sword." ¹

The Earls understood thoroughly that for the time the game was in their hands. They advanced straight

¹ Sussex to the Queen, November 15: *MSS. Border*

and steadily southwards, their numbers varying or variously reported as from eight to fifteen thousand, among whom were two thousand horse well armed and appointed. The only regular troops in the Presidency were on the Border, in garrison at Berwick or Carlisle, or in the Middle Marches with Sir John Foster. Both Sussex and Cecil wrote pressingly that some of these soldiers should be sent to York; but they could not be spared from their posts. The Earl of Murray had proposed in August to set the Scotch Border in order. It will be remembered that Elizabeth, just then in pique at Murray for refusing to receive back his sister, had ordered the Wardens, if the Regent molested any gentlemen inclined to Mary Stuart, to receive and protect them. The Kers and the Scotts were thus left undisturbed, and "the Earls had so practised with them that the Wardens had more need of men themselves than were able to spare any to send elsewhere;"¹ Northumberland had been in communication through the autumn "with all the dangerous lords and gentlemen" between Forth and Tweed; the powder-train of the general conspiracy had been laid throughout the island wherever Mary Stuart had a friend.

Sir George Bowes flung himself into Barncastle, with a few score servants and followers. Lord Darcy held Pomfret, and trusted faintly that if the Queen would send him money he might be able to stop the passage over the Don. But there was no force anywhere which could meet the rebels in the field. On the 19th they were at Ripon, on the 20th at Knaresborough and Borrowbridge, on the 23d they had passed York. Their main body was at Wetherby and

¹ Foster to Bowes, November 25: *Memorials of the Rebellion.*

Tadcaster, their advanced horse were far down across the Ouse.¹ The barns were full, the farm-yards well stocked; the cattle which had fattened in the summer were not yet fallen off in flesh, and food was abundant. They moved on at leisure, intending to make first for Tutbury and release the Queen of Scots, and then either advance to London or wait for a corresponding movement in the South. To make the ground sure and to open a port through which the expected succours could reach them from Alva, by a side movement they secured Hartlepool. They sent letters to every person of rank whom they expected to find on their side. Misinterpreting the inaction of Sussex, they supposed that he was waiting only for the plea of constraint to join their party. They had avoided York on their advance to prevent a collision, and they wrote to beg him to make common cause with them.² To Lord Derby they wrote saying that, "because he was wise they needed not persuade with him" of the necessity of their rising; they knew "his zeal for God's true religion" — they knew "his care for conserving the ancient nobility;" they trusted that he would lose no time in joining his forces to theirs:³ while to commit before the world the other noblemen who they believed to be with them in heart, they set out a manifesto, relating as much as suited their purpose of the proceedings of the Council during the past year. "The succession to the crown was dangerously and uncertainly depending through the many pretended titles." "For the avoiding of bloodshed and other subversions of the Commonwealth," the Duke

¹ Sussex to the Queen, November 24: *Border MSS.*

² Same to the same, November 26: *MS. Ibid.*

³ The Earls of Northumberland and Westmoreland to the Earl of Derby, November 27: *Burghley Papers*, Vol. I.

of Norfolk, the Earls of Arundel and Pembroke, with divers others of the old nobility, had determined to make known and understood of all persons to whom the right did indeed appertain. "This their good and honourable purpose had been prevented by certain common enemies to the realm, near about the Queen's person." They were themselves in danger from "sinister devices" which could only be avoided by the sword. They had therefore taken arms and committed themselves and their cause to Almighty God.¹

The next step was to secure Mary Stuart. Their advanced camp was little more than fifty miles from Tutbury. Lord Northumberland proposed to go forward suddenly and rapidly with a small party. Lord Wharton and two of the Lowthers agreed to join him either on the road or at Burton or Tutbury, and so they hoped to carry the castle by surprise.²

Happily before the enterprise could be executed the Queen of Scots was beyond their reach. When the

¹ Manifesto of the Earls: *Burghley Papers*, Vol. I. Northumberland had great hopes from this manifesto, as well as from the previous proclamation. "Our assembly," he said, "was for reformation of religion and preservation of the second person, the Queen of Scots, the right heir, if want should be of the issue of her Majesty's body. Which two causes I made full account were greatly pursued by the most part of the noblemen within the realm, and especially for God's true religion. Yea, I was in hope both the Earl of Leicester and my Lord of Burghley had been blessed with some godly inspiration by this time of day to have discerned chiese from chalk, the matter being so evidently discovered by the learned Divines of our time."—Confession of the Earl of Northumberland: *Border MSS.*

² "For that you write that the enterprise of the chief purpose is resolutely upon the Earl of Northumberland to be attempted and that the enterprisers are desirous of my company,—this I offer, that appoint me a day and I will meet with four good horses at Burton or Tutbury, there to perform with the foremost man or else to die. And to the furtherance thereof the Lord Wharton and my brother will join. For coming to you upon an hour's warning with their whole power it is not possible, but they will not fail to win with you in passing. Let nothing persuade you but that the Lord Wharton and Richard Lowther are and will be always with you."—Lowther to the Earl of Westmoreland: *MS. Ibid.*

news that the Earls had risen came first to London, Elizabeth failed to comprehend the meaning of the danger. She could not believe that an insurrection on such a scale could have started suddenly out of the ground. She distrusted Sussex's judgment and half distrusted his loyalty. She insisted that he could have put down the disturbance at the first moment had he cared to do so, and she resented and seemed chiefly concerned about the expense to which she would be exposed. "The Earls," she said, "were old in blood but poor in force;" and, evidently unconscious that a lost battle might be the loss of the realm, she declared that she would send down no pardons, and Sussex must restore order with the means already at his disposal.¹

She wished to deceive herself, and she had those at her ear who were too ready to assist her. Leonard Dacres, when he separated from the Earls, after their disappointment about Norfolk, had returned to London. Either the Queen had sent for him as she sent for others, and he had thought it prudent to comply, or, not expecting a rising, he had gone up on business of his own. To anticipate the arrest which he had reason to look for, he sought and obtained an audience. With the address of which he was an accomplished master, he satisfied Elizabeth of his fidelity, which he

¹ Elizabeth did not realize that the Yorkshire levies could not be depended on. "Good Mr. Secretary," Sussex wrote in answer to Cecil, "give advice that the sparing of a little money in the beginning be not repented hereafter, and therefore send some good force that ye may surely trust to in these parts. To be short with you, he is a rare bird that by one means or other hath not some of his with the two Earls, or in his heart wisheth not well to the cause they pretend. Seeing what groweth in all the realm by this matter, I wish heartily the Queen's Majesty should quench the fire at the beginning, either by pardon or force; and if by force, then not to trust these parts, lest by one foil taken much may be hazarded." — Sussex to Cecil, November 20: *MSS. Border*.

assured her that he was only anxious to display in the field. The name of Dacres in the North was worth an army.

The Queen listened graciously. Norfolk being now in disgrace, she promised Dacres favour in his suit for the estates, and he went down to Naworth with a formal commission to raise whatever force he could collect, and with instructions to join Lord Scrope at Carlisle. Dacres, who was a far abler man than either of the Earls, believed them to have made a foolish mistake. He sent them word that if Scrope took the field, he would go with him "till he came in sight of their powers," and "then set upon him and overthrow him;" and this undoubtedly he meant to do, if the rebellion wore a complexion of success. But he had his own interests to look to also. He was not the man to commit himself to a falling cause; and he might well think he could do better service to religion and Mary Stuart if he could secure his peerage and his inheritance by remaining loyal. At all events, he had misled the Queen as to the force which she had to depend on. He had secured his friends time, and so far had given them their best chance of success.¹

Elizabeth's other measures were not more effective. To save the cost of sending troops from London, Lord Rutland, a boy of thirteen, was directed to call out the musters in Nottinghamshire and put himself at their head. Sir Ralph Sadler and Thomas Cecil were ordered down to take charge of him, and to see especially that the young Earl while on duty went diligently to church.² Spies offered their services, which

¹ *Notes of the proceedings of Leonard Dacres, March 4, 1570: MSS Border.* Witherington's confession, January 19: *MS. Ibid.*

² Cecil to Sadler, November 20: *Sadler Papers*, Vol. II.

were eagerly accepted. A Captain Stully volunteered to go among the insurgents, learn their secrets, divide and betray them.¹ A more dangerous person, who will be heard of again, Sir Robert Constable, undertook for a high bribe the same work.² With such precautions as these the Queen imagined that the rebellion could be safely encountered. The one substantial precaution which she thought necessary was to join Lord Hunsdon in command with Sussex.

Meanwhile Don Guerau believed that the long-wished-for time was come. The Earl of Southampton and Lord Montague sent to consult him whether they should call out the Catholics in their own counties, or cross the Channel and endeavour to bring back Alva with them.³ The Ambassador declined to advise, and they did nothing; but other gentlemen hurried over with the news of the rising; though Philip had been cold, he had left the Duke free to act if there was an opportunity; and so confident was Don Guerau that he would not allow the occasion to pass, that he sent word to the Earls that if they could but keep a single seaport open, they would have assistance in a fortnight. "Never," he told Philip, "was there a fairer chance of punishing the men who had so long insulted Spain, or of restoring the Catholic religion."⁴

All turned at that moment on the success of the

¹ Bedford to Sadler, November 21: Sadler *Papers*, Vol. II.

² Constable was Westmoreland's cousin; a man whose sympathy with the rebellion would be accepted without suspicion, and therefore the fitter for the purpose. He was grandson of Constable of Flamborough, the friend of Aske, who was executed after the Pilgrimage of Grace.

³ "Milord Montagu y el Conde de Southampton me enviaron á decir si les aconsejaba que tomasen las armas ó pasasen á V^a Excelencia, y les dixee que no podia darles consejo hasta tener la orden conveniente para ello." Don Guerau to the Duke of Alva, December 1: *MS. Simancas*.

⁴ Don Guerau to Philip, November 20: *MS. Ibid.*

adventure at Tutbury. Had the Queen of Scots reached the camp of the rebels, Southampton, Montague, Morley, Worcester, in all likelihood the Earl of Derby, would have immediately risen. Alva had a fleet already collected in Zealand with guns and powder on board; and he was understood to be waiting only to hear that she was at liberty to launch them upon England. If reports which reached Cecil spoke true, it was even arranged that the members of the infamous Blood Council would accompany the expedition to assist the Catholics in their expected revenge;¹ and La Mothe Fénelon congratulated himself that England was about to taste the same calamities which France had been suffering for years through English intrigues.²

Fortunately for Elizabeth, Lord Hunsdon reached the North in time to remove her delusions. He was at Doncaster on the 20th of November, where he found that the rebels were in force between him and Sussex. Accompanied by Sadler he made his way to Hull, and thence he passed round at the rear of them to York, while he sent back word that not a day was to be lost in sending troops from London, and that the Queen of Scots must be removed from Tutbury, or she would without doubt be carried off.³

¹ "Le Duc d'Alva a eu entendement avecques quelqueuns Seigneurs d'Angleterre, et il les a promis assistance à l'encontre de la Reyne et la religion, pour quelle fin ledict Duc avoit faict apprester en Holland et Zeeland certain nombre de navires, les quelles sont deja equippez et grande preparation de beaucoup de grande artillerie y sont amenez. L'ung de ses filz estoit appointé pour y venir avecques ung nombre de gens jusques à quelque havre au pais de Norfolk, entre lesquelles estoient quelques Espagnolz conseillers appointez à sçavoir la conseil de Sang, comme ils sont au Pais Bas Inquisiteurs qui auroient faict detestables et horribles punitions et dechirations du peuple." — — to Cecil, December 8. From Brussels: MSS. Hatfield.

² La Mothe au Roy, November 25: *Dépêches*, Vol. II.

³ "The Earls intend to go through withal. Their meaning is to take

Shrewsbury had received a similar warning and made such preparations for his defence as circumstances allowed. Huntingdon, who was at no great distance, rejoined him at his own request. If the castle was attacked in force, they felt both of them that it could not be held, but it would stand a siege for a day or two, and they took precautions not to be surprised. A mounted guard patrolled the woods at night, and the Queen of Scots herself was carefully kept in sight. She had affected illness and had desired to be alone; but Shrewsbury by this time understood her and felt more suspicion than alarm.

So matters stood with them when Westmoreland was arranging his plans for her rescue. Another day or night would have seen the attempt made, for the Earls knew how much depended on it; but, on the 23d of November, a courier dashed in from London with an order for the Queen of Scots' instant removal to Coventry. It was a delicate matter to take her anywhere. "The more she was seen and acquainted with, the greater the danger." The commission, too, had been sent to Huntingdon alone, and Shrewsbury's pride was again wounded at the seeming distrust. He refused to leave his charge, irritating Huntingdon by implying a doubt that the Queen of Scots' life would not be safe with him. In this humour they got to horse together, took their prisoner between them, with a mounted escort of four hundred men, and so made their best speed to Warwickshire. They rode into Coventry "at night, to avoid the fond gaze and confluence of the people." They had been ordered to

the Scottish Queen, and therefore, for God's sake, let her not remain where she is, for their greatest force are horsemen." — Hunsdon to Cecil, November 20: *MSS. Border*.

prevent Mary Stuart from being seen or spoken to, but their precautions were useless. No preparations had been made to receive them, and they were obliged to take her to an inn too small to admit more than her personal attendants, and too public to enable them to seclude her from sight. At Coventry, as
 December. everywhere else, she found a mysterious body of friends devoted heart and soul to her, and "going up and down the town with full powers to practise." Shrewsbury continued cold, distant, and resentful;¹ and Huntingdon, who found the contents of his most secret despatches were in some way carried to her ears, could not but feel a wish that she was safe in Nottingham Castle rather than in an open town, especially as he knew that dangerous influences were at work upon Elizabeth and doubted how far she would resist them.²

He had good reason for uneasiness. Norfolk, more than ever uneasy at his imprisonment, when the revolution seemed likely to be accomplished and the fruits of it snatched from himself, plied Elizabeth with passionate entreaties for forgiveness. He professed a horror at "the enterprise of the rebel Earls." For himself, he swore that he "had never dealt with them, either for religion, title, or succession," and that he had never entertained an undutiful thought towards herself.³ At the same time he was endeavouring with

¹ Huntingdon to Cecil.

² "I am sorry to understand such objections as you write be many times made against good counsels given by true-affected councillors. God amend that fault wheresoever it be, or else our country and sovereign shall taste, I fear, of sharper storms from the North, or perhaps from some other coast, than doth yet blow. God give all councillors such hearts as in their counsels they may unfeignedly in simplicity and truth seek his glory, our country's weal, and Sovereign's surety. December 9": *MSS. Hatfield*

³ Norfolk to Elizabeth, December 5: *Burghley Papers*, Vol. I.

vows and promises to reëstablish himself in the affections of Mary Stuart, and she in turn was bewitching him with assurances of eternal fidelity, declaring herself¹ to be waiting only for his directions, careless of dangers, and ready, if he could extricate himself, to slip through the hands of her own keepers.

While the two principals were thus engaged, the Bishop of Ross was besieging Leicester, and through Leicester the ears of Elizabeth. The Bishop of Ross, with every fibre of the conspiracy in his hands, could carry to the Council the smoothest aspect of innocence. He could affect to grieve over the disturbances which he had himself assisted to kindle, and wind up with a lamentation over the dangers of his mistress, and entreat that she might be allowed to fly from the storms which were threatening to overwhelm her. His mistress, he said, had preferred the friendship of the Queen of England to that of the "most puissant of Princes." She had chosen her out and clung to her as the sole support of her misfortunes; her Majesty should return love for love and let her go.²

Elizabeth's suspicions of the Queen of Scots had

¹ "When you say to me you will be to me as I will, then you shall remain mine own good Lord, as you subscribed once with God's grace, and I will remain yours faithfully. Neither weal nor woe shall remove me from you if you cast me not away." — Mary Stuart to Norfolk, December: Labanoff, Vol. III.

² "Let her Majesty remember," he wrote to Leicester, "what great commendations and immortal fame many kings and princes have purchased for themselves for benefit, aid, and support bestowed on other princes being in like distress. Abraham delivered his brother Lot. Cyrus set free the Jews from their captivity. Evil Merodach delivered Joachim King of Judah forth of prison. The Romans restored Masinissa King of Numidia, and did not noble Cordela (*sic*) set up again in the royal throne of Britain her father, driven from thence by his two other unkind and unnatural daughters? Would not her Majesty in like manner have pity on one who was at once her sister, daughter, friend?" — The Bishop of Ross to Leicester, November 28: *MSS. Queen of Scots*.

happily been stirred too deeply, and neither the advice of fools or traitors, nor Norfolk's mendacity, nor the eloquence of the Bishop of Ross, could charm her now into a false security.

Meantime the Earls had missed their chance and had lost the game in missing it. Mary Stuart once beyond their reach, there was no longer any fear from Alva. The Southern noblemen let the time for action go by, and the rebel Earls, after waiting three days about Tadcaster, turned back upon their steps. They had expected that all England would rise to meet them. The universal tranquillity was not disturbed. The Earl of Derby, instead of rising, forwarded to Elizabeth the letters with which they had tempted his loyalty. Montague and Southampton waited for Alva, and Alva would not move till Mary Stuart was free. They had no money; the road to London was open, but they were unwilling to irritate the people by feeding their men upon plunder; and even could they reach London, they doubted their power to carry it by a *coup de main*, and to besiege it would be beyond their power. Like the Pilgrims of Grace, they halted in their first success, and in halting lost all.¹

Their plan was now to hold the north of Yorkshire, Durham, and Northumberland, and wait to be attacked. They thought of assaulting York, but they doubted whether they could take it without guns. There would be danger to their friends in the town, and though Westmoreland, who saw more clearly than the others the necessity of doing something important, was in favour of the attempt, he was alone in his opinion.²

¹ La Mothe, December 27: *Dépêches*, Vol. II.

² Bishop's confession: *MSS. Hatfield*. Confession of Christofer Norton April, 1570: *MSS. Domestic, Rolls House*.

Lord Sussex had deserved more credit than he was likely to receive. His brother, Sir Egremont Radcliffe, had joined the insurgent army, giving a show of colour to the Queen's suspicions. But when Hunsdon and Sadler arrived they found that he had done as much as he could in prudence have ventured. He had collected within the walls almost three thousand men. He had not led them against the rebels because "they wished better to the enemy's cause than to the Queen's." But as Elizabeth believed that he had been wilfully inactive, Sadler ventured to tell her "that there were not ten gentlemen in Yorkshire that did allow her proceedings in the cause of religion." "When one member of a family was with Sussex, another was with the Earls."¹ "The cause was great and dangerous," and Sussex had done loyally and wisely in refusing to risk a battle. If only their own lives were at stake, both he himself and Hunsdon and Sussex would try their fortunes, even "with the untrusty soldiers they had;" but "should they receive one overthrow the sequel would be so dangerous as it was better for the Queen to spend a great deal of treasure than they should give that adventure."²

Sussex, therefore, had acted well and wisely in sitting still behind the walls of York. Had the Queen of Scots been released his caution would have availed him little; the war would have rolled south and have left him behind: but it was necessary to risk something, and events worked for him. Money came in at last, though in small quantities and grudgingly given. The soldiers in the city were paid up and grew better tempered. "The discreet began to mislike the insur-

¹ Sadler to Cecil, December 6: *Sadler Papers*, Vol. II.

² Same to the same, December 3: *Border MSS.*

rection," "the wealthy to be afraid of spoil." At the first stir "there were few or none of the citizens that were not more addicted to the rebels than to the Queen," and there was not a cannon or a cartridge in the town. Sussex kept them all quiet, brought guns and powder up from Hull, threw up bulwarks, did everything better than could have been expected from his first fears and his commonplace character. Hunsdon was able to say, "that if Sussex's diligence and carefulness had not been great, her Majesty had neither had York nor Yorkshire any longer at her devotion: he wished to God her Majesty knew all his doings: she would know how good a subject she had."¹

By this time the Court was thoroughly alarmed, and a Southern force was on the move. Lord Pembroke replied to the Earls' manifesto with disclaiming all sympathy with them or their object. He had ever been a true subject, he said, and he did not mean in his old age to spot his former life with disloyalty. He declared himself ready and willing to serve anywhere and against any enemy.² With graceful confidence the Queen accepted Pembroke's services, and named him at once general of an army of reserve which was to assemble at Windsor.³ Southampton and Montague, partly perhaps in fear, partly with worse intentions, made an effort to escape abroad. They had sailed, but were driven back by a storm. The Queen

¹ Hunsdon to Cecil, November 26: *MSS. Border*.

² Pembroke to the Queen, December 5: *Burghley Papers*, Vol. I.

³ "The Queen will have an army here of 15,000 men by the 10th of December, whereof the Lord Pembroke shall be general." — Cecil to Sadler: *Sadler Papers*, Vol. II. It was to be composed of levies from Essex, Kent, Sussex, Hants, Oxfordshire, Bedfordshire, Wilts, and Somerset. — *MSS. Domestic*, November, 1569.

heard of it: to disarm treason by not affecting to see it, she gave Montague the command of the south coast, and joined Lord Bedford in commission with him, as a security against his betraying his trust.¹ By these and similar measures the insurrectionary spirit was subdued everywhere but in the North. So far as England was concerned generally, the rebellion had flashed in the pan. The Catholic leaders were taken by surprise, separated by long distances, and unable to concert any common plan of action. They distrusted one another, they doubted whether they would be supported from abroad, and at last it appeared were unwilling to move without direct instructions from Philip; ² while Philip on his side — in such letters as came in from him — would only say that they must do nothing unless they were certain of success.³

A proclamation was now sent down and issued at York, promising a free pardon to all the rebels except the two Earls and ten others, on condition of their immediately laying down their arms. Lord Clinton went into Lincolnshire, Lord Warwick and the Earl of Hereford into the Midland Counties, to collect a force to relieve Sussex; and by the end of November

¹ "Estuvó ya Milord Montague con su yerno el Conde de Southampton embarcado para ir á Flandes, y por tiempos contrarios se hubo de volver á desembarcar, y legándose un mandamiento de esta Serenissima Reyna, no rehusó de volver á la Corte y purgarse desta fama, y salido con ellos le dieron el gobierno del Condado de Sussex." — Don Guerau á Su Magestad, December 18: *MS. Simancas*.

² "De los que estan confederados ningunos han hecho aun movimiento porque estan espargidos, pero entre si estan consultando de la forma de levantarse." — Don Guerau to Alva, December 1. And again, three weeks later: — "Estan sin osarse fiar los unos de los otros. Parece que aguardan á entender si V. Mag^d será servido de darles favor." — Don Guerau to Philip, December 20.

³ "Mas han de mirar mucho como lo emprender, pues si errasese el hecho eran todos perdidos, y vos hecisteis muy bien en remitirlos al Duque de Alva." — Philip to Don Guerau, November 18.

two bodies of 4000 men each were converging rapidly upon Doncaster.

Warwick was crippled with gout and only half recovered from the wound which he had received at Havre, but "thinking himself the unhappiest man living if he should not be in place to venture his life against the rebels;"¹ while ships left Sheerness, some to cruise in the Channel, some to lie off Hartlepool, in case the Spaniards should attempt to cross.

On the 26th of November the Earls of Northumberland and Westmoreland were proclaimed traitors at Windsor. Northumberland was a Knight of the Garter. On Sunday the 27th, a fortnight after the mass in Durham Cathedral, the Heralds and the Knight Marshal went in procession to St. George's Chapel. Rouge Cross read the sentence of degradation from a ladder against the wall. Chester then "hurled down with violence the Earl's banner of arms to the ground, his sword, his crest, and then his helmet and mantle;" while Garter, waiting below, "spurned them with like violence from the place where they had fallen, out of the west door of the Chapel, and thence clean out of the uttermost gates of the Castle."²

Three days later the rebel army was broken up. The men scattered about Yorkshire in parties of two and three hundred, "spoiling" for want of other means to feed themselves. Sussex kept close within the walls of York, and let them pursue their retreat unmolested. The Earls divided: Northumberland went straight back to Durham, sending his own people before him to fortify Alnwick. Westmoreland paused at Barncastle, where a brief success revived his failing

¹ Warwick to Cecil, December 3: *MSS. Domestic*.

² *MSS. Ibid.*, November, 1569.

spirits. Sir George Bowes was in the castle with 800 men. The Berwick garrison had made an effort to relieve him, but had been unable to leave the Borders. He was scantily provided with arms, and had so little powder that he durst not waste it. Westmoreland had brought falconets and other small field-pieces with him, and as Bowes was short of provisions besides his other deficiencies, Sussex sent him word that he had better let his "horse" cut their way out at night and make their way to York, and himself hold the keep till relief could reach him. The horse escaped as Sussex directed, but Bowes himself was less fortunate. The garrison mutinied. The men leapt over the walls by twenty and thirty at a time. Two hundred of "the best disposed" who were on guard went out openly through the gates and joined the insurgents, and as those who remained showed signs of intending to follow them, Bowes was obliged to surrender, stipulating only to be allowed to go where he would.

Westmoreland refortified the castle, left a party there to hold it, and went to Raby.¹ Vain of his solitary capture, he expected that the tide would now turn; he anticipated, from the behaviour of Bowes's followers, that the Queen's troops, which were coming up so slowly, had no intention of fighting, and that if they were forced into the field they would pass over to his side.² But a few days undeceived him. The evil signs remained unchanged. Dacres was at Car-

¹ Raby Castle was described at this time "as a marvellous huge house of building with three wards builded all of stone and covered with lead." The country round was bleak and untimbered: "nor the castle itself of any strength, but like a monstrous old abbey which would soon decay if it was not repaired." — Sadler to Cecil, December 2: *Memorials of the Rebellion*.

² Constable to Sadler, December 16: *Sadler Papers*, Vol. II.

lisle with Scrope, and sent word that if the object of the insurrection was to marry Norfolk to the Queen of Scots, he would have nothing to do with it.¹ The gentlemen grew cold and dropped off one by one. Even Westmoreland's own men refused "to serve without wages;" and Sir Robert Constable the spy, who had joined him, contrived "to spread such terror among them as he trusted there would be no need of stroke or shot." Constable had been directed "to sow sedition among the rebels, discourage, divide, and disperse them," and to "spare no money" in the process. For such purposes Elizabeth was generous, and he did his work effectually.² The garrison which had been left at Hartlepool strained their eyes for the sails of Alva's fleet, but they saw instead only the ships of the Queen, which as the weather served, drew in upon the shore and sent long shots among them. The harbour, even had Alva been willing, would not have answered the purpose, for it was dry at low water, and vessels of large burden could not enter it in ordinary high tides.³

It was useless to wait longer. Barncastle was again deserted, Hartlepool was evacuated, and so much of the insurgent force as held together was reassembled in Durham in the middle of December. There, as the solitary result of their movement, they could still hear mass in the Cathedral, but the Almighty Power whom they had hoped to propitiate had not interfered in their favour. About 4000 were said to be now remaining in arms, but among these "mistrust" was spreading, and a fear that the Earls would steal away and leave them to their fate.⁴ Meanwhile Clinton

¹ Confession of Bishop: *MSS. Hatfield*.

² Constable to Sadler, December 14: *Sadler Papers*, Vol. II.

³ Sussex to the Council, December 11: *MSS. Border*.

⁴ *Cotton MSS., Calig. B. IX. f. 488.*

and Warwick were advancing on their several routes. They had been long on their way, for the "roads were foul and miry." "The men were wearied with marching in armour," and could move only five or six miles a day. On the 10th of December Clinton was at Doncaster. He too was short of money and was disappointed in his expectations of finding supplies waiting for him there.¹ But the soldiers were loyal and were contented with promises. He pushed on, leaving accounts to be settled afterwards, and on the 13th met Warwick at Wetherby.

Together they had now 11,000 men, all well appointed, in high spirits, "and eager to encounter the rebels if they would abide."

This, however, it seemed now unlikely that the rebels would venture to do. The object was rather to prevent their flight; and Scrope, reassured by the apparent loyalty of Leonard Dacres, moved out from Carlisle to intercept them on their way to the Borders. To have allowed such a proceeding without obstruction, in the heart of his own country, would have ruined Dacres's popularity. He did not interfere himself, but he gave a hint to two of his brothers, and

¹ Elizabeth was in such a humour about expenses that every penny for the regular service had been doled out reluctantly. Every despatch from the different commanders contained a statement of their necessities. Cecil had to write in return that they must spend as little as possible. "There was much ado to procure money. Her Majesty was much grieved at her charges." Cecil's position made him write with reserve. Sir H. Radcliffe, another brother of Sussex, who was with the Queen at Windsor, expressed himself in plainer language.

"If your Lordship," he wrote to the President, "lack there the supplies promised, you must bear them and do what you may otherwise; and if some here with us bear glances or overthrusts, we must not understand them. Neither shall your Lordship receive this supply, though but small, which might have either ended, or at least mitigated, the matter by this time."—Sir H. Radcliffe to Sussex, December 10: *Cotton MSS., Calig B. 9.*

Scrope had no sooner marched out of Carlisle than he was recalled by the discovery of a plot to seize the castle and murder the Bishop, in whose care it had been left. He could not venture to leave his charge with mischief at his own door; though unable to quarrel with Dacres he durst not trust him, and was forced to remain upon the watch.

Thus, if the worst came to the worst, the passage into Scotland was still open, and with the possibility of escape, the irresolution of the Earls increased. On the 17th the Queen's army was at Ripon. Lord Westmoreland still held the fords and bridges of the Tees, and there, if anywhere, a stand was to be made. Northumberland had returned to his friends, and divided, disheartened, and with dwindled numbers, the rebels held a council at Durham to decide whether they should fight or fly. Westmoreland had some courage, and sufficient sense to know, that insurrection, if it meant anything, meant battle. In the Earl of Northumberland, the blood of Hotspur had cooled to the passive temperature, which could suffer, but could not act. Except for his wife, who never left his side, he would more than once have thrown himself upon Elizabeth's clemency;¹ and now, with some remains of loyalty about him, he shrunk from crossing swords with the soldiers. He had imagined that he had but to appear in the field for all England to welcome him. He had looked rather for a triumphant procession to London than to a rebellion which was to cost blood. "He had not taken arms to fight against his mistress," he said, but only in defence of his life,

¹ "His wife being the stouter of the two, doth harden and encourage him to persevere, and rideth up and down with the army, so as the grey mare is the better horse."—Hunsdon to Cecil, November 20: *MSS. Border.*

and to remonstrate against the misgovernment of his country.

In Percy's weakness the hope of rebellion was for the present ended. Five weeks before, the Earls had entered Durham with their priests and banners, to reinstate the kingdom of the saints. They had to leave it now in scandalous discomfiture, for the tide of heresy to flow once more behind them. They could not count their cause lost; the majority of the English nation, if measured by numbers, was still enormously in their favour. But for the moment, the powers of evil were still in the ascendant, and there was nothing left for them to do but to save their lives. The smaller gentlemen made for their homes, trusting to their insignificance to conceal the part which they had taken. The Earls and the more conspicuous leaders went off for Liddisdale, and the first act of the great Catholic conspiracy was over.

The Queen's troops followed swift on their retreating footsteps. There were now but a few score of them holding together; the two noblemen, their ladies, the Nortons, Markinfield, Swinburn, and their servants. The weather had changed; a blasting north wind swept over the moors, with snow and sleet lashing in their faces.¹ Beyond Hexham they were turned

¹ The hard weather lasted into January, and among the minor incidents of the rebellion there is a touching account of the consequent sufferings of two little daughters of the Earl of Northumberland, whom he had left behind him at Topcliff. Their uncle, Sir Henry Percy, who remained loyal, passing by three weeks after Christmas, reported to Sussex, "that he had found the young ladies in hard case, for neither had they any provisions nor one penny to relieve themselves with." "They would gladly be removed," he said; "their want of fire is so great, and their years may not well suffer that lack." — Sir H. Percy to Sussex, January 9: *Memorials of the Rebellion*.

There was "sharp execution" done at Topcliff before Percy's visit, and the poor children, as they looked shivering out of their window, must have

by Sir John Foster, and doubled back with an intention of hiding among the wolds. But Clinton's cavalry were on the Tyne, led by Sir Edward Horsey, the sworn brother of the Channel pirates, who railing at the cowardice which, having begun a rebellion, would not stand to fight it out, was eager to serve what he called God with the free use of rope and gallows.¹ At Horsey's side was Thomas Cecil, for whose loose ways his father once thought the Bastile the only cure; and who now "having," as he said, "adventured his carcase" in the Queen's service, was looking to fill his pockets from the profits of the expected confiscations.² The Yorkshiremen themselves had turned upon the Earls in their failure, and were now crying round Clinton, "Hang them that will not live and die with you."³ There was no possibility of return, and again turning their horses northward, on the night of the 20th the fugitives found shelter and a few hours' rest at Naworth. There, however, there was no remaining for them; Dacres was in no humour to compromise himself for men whose views he disliked and whose rashness and weakness had ruined

seen some scores of their father's servants hanging on the trees about the house.

¹ "Even as they have frowardly and villanously begun a lewd enterprise, so have they beastly and cowardly performed the same. The bruit of her Majesty's army drawing near did so appal their hearts as made them rather yield their heads unto a halter than by fight persist in their vile and detestable quarrel. I beseech Almighty God that her Majesty may take such order as the punishment of these rebels may be example to all others in this age. I would not have thought to have found any corner in England where God and the Queen is so little acknowledged, — the which now by your Honour's good order may be redressed." — Edward Horsey to Cecil, December 22: *MSS. Domestic*.

² Before the rebellion was over, and without waiting to know what the Queen would do, he applied for the administration of the estate of the Nortons. — Thomas Cecil to Sir William Cecil, December 23: *MS. Ibid.*

³ Sussex to Cecil, December 22: *MSS. Border*.

a great cause. The forlorn party, dwindled now to three ladies and twenty men, were again off before daybreak in the snow, and wind, and darkness.

Across the Border they were safe from their English pursuers ; but their case was scarcely mended. They had poor hospitality to expect from Murray, and they had to seek a refuge among the outlaws and moss-troopers who had been the companions of the crimes of Bothwell. Black Ormiston, one of the murderers of Darnley, John of the Side, a noted Border thief, and others, opened their hiding places to them. But among these vagabonds there was little honour. The Regent was at Jedburgh. One of the Elliotts, who was in danger of hanging, and wished to earn his pardon, laid a plot to take them. They were hunted out again, and it was then found that "the Liddisdale men had stolen the ladies' horses." The Countess of Northumberland had to be left behind at John of the Side's house, a place described "as not to be compared to an English dog-kennel." Lord Westmoreland, "to be the more unknown," exchanged his gay dress for the outlaw's greasy breeks and jerkin, and he and his companions spent their Christmas in the caves and peat-holes in the woods of Harlaw and the Debatable Land, till their more powerful Scottish friends could take measures for their relief.¹

While Clinton and Warwick were thus hunting the insurgents out of the country, Chapin Vitelli, in London, seeing the Catholics cut so poor a figure, was little disposed to encourage his master in going to war for them. Elizabeth was so suspicious of him, that at one time she sent him an order to leave the country ;² but

¹ Sussex to Cecil, December 22 (midnight): *Border MSS.*

² Don Guerau to Alva, December 1.

he struggled on, doing his best to propitiate her, holding out hopes that if she would make up matters with Spain, Spain would assist her in recovering Calais. and, if he produced little effect upon the Queen, he succeeded in seriously alarming the French Ambassador. La Mothe Fénelon, to sound perhaps the real intentions of the Spaniards, said to Don Guerau, that if he could do anything to assist the Earls, he would himself heartily coöperate with him. Don Guerau coldly excused himself;¹ and La Mothe, more afraid than ever that a reconciliation between England and Spain would arise out of the Earls' defeat, began in turn to pay court to Elizabeth, and endeavoured to outbid Vitelli in offers of friendship. The English Catholics had made an effort to overthrow the Reformation; and as a result of it, the ministers of the Catholic Powers were contending for the smiles of the heretic sovereign. She knew the value of their advances. She judged rightly that her differences with Spain were deeper rooted than any which could exist with a country which was half of it Huguenot. She remained cold to Chapin. She accepted graciously the advances of La Mothe; and she spoke to him long and confidentially on the condition of Christendom. With tears in her eyes, she protested that she had not deserved the rebellion. For her relations with the Continent, she desired only that neither her own subjects should assist in creating trouble elsewhere, nor French or Spanish Catholics encourage insurrection in England. She spoke with horror of bloodshed. Ex-

¹ "El Embajador del Rey Christianissimo me vino á visitar y decir que si yo podia favorecer á estos en esta justa causa que por parte de su Rey me seria buen compañero, sin celos y sospecha alguna; yo me escusé con decir que no tenia mandamiento de su Magestad sobre ello." — Don Guerau to Alva, December 1.

cept for her honour's sake, she said, she would have already pardoned the Earls, and she hoped they would of themselves abandon their enterprise.

La Mothe observed that while there were differences of religion, Europe could never be quiet.

Elizabeth admitted in answer that between the Pope's pretended power to absolve subjects from their allegiance and the Protestant theory of the right of subjects to depose their sovereigns, Governments had a bad time before them. It was time to do something, and she would gladly come to some understanding with other sovereigns on these matters. As to the reunion of Christendom, there was nothing for which she was more anxious. There would be no difficulty with her. She had told Cardinal Châtillon that whatever he and his party might think of the abomination of going to mass, she would herself sooner have heard a thousand than have caused the least of the million villanies which had been committed on account of it.¹

Remarkable words, throwing the truest light now attainable upon the spiritual convictions of Elizabeth. They might be called wise from the modern point of view, to which varieties of religious forms seem like words in different languages expressing the same idea. For men to kill each other about a piece of bread appears, when so stated, the supreme culmination of human folly. Yet Knox and Coligny were, after all, more right than the Queen of England. The idol was

¹ "Et quant à chercher l'union de l'Eglise, Dieu sçavoit qu'elle avoit souvent envoyé devers l'Empereur pour l'en solliciter, et qu'elle ne s'y randoit jamais opiniastre; mesmes avoit dict à M. le Cardinal Châtillon que quoique on tint en leur religion pour une grande abomination d'aller à la Messe, qu'elle aymeroit mieulx en avoir ouy mille que d'avoir esté cause de la moindre méchanceté d'ung million qui s'estoient commises par ces troubles." — La Mothe au Roy, December 10: *Dépêches*, Vol. II.

nothing, and the thing offered to the idol was nothing ; but the mass in the sixteenth century meant the stake, the rack, the gibbet, the Inquisition dungeons, the Devil enthroned upon the judgment-seat of the world, with steel, cord, and fire to execute his sentences.

Chapin meanwhile continued to sue for an agreement with Spain, and made no progress. He offered terms the details of which are not preserved, but terms so favourable to England as to be humiliating to the Catholic King. The more pliant Philip appeared the more Elizabeth distrusted him. To make him see that she had no fears she discussed each condition with laboured prolixity : at length she said she would write to Philip, and desired the Minister to be the bearer of her letter. Chapin asked permission to send to Alva for advice ; the rebellion was made an excuse for refusing his request ; and, desperate at length of effecting anything whatever by negotiation, he found means to let Alva know that the English Government was inveterately hostile, and that without a revolution the two countries could never be brought together again.¹

It was a conclusion which both Philip and Alva were most reluctant to accept. In Philip's correspondence there is visible an extreme fear lest any representative of Spain should be found implicated in treason and conspiracy, an extreme dislike of encouraging or meddling with seditious persons, however unimpeachable their orthodoxy. The sympathies of Alva were on the side always of order, law, and government. He disapproved of heresy, but it was a question with him whether rebellion was not a greater crime. Such a loose, heedless, and ill-concerted movement as that of the two Earls seemed utterly contemptible to him.

¹ La Mothe au Roy, December 27 : *Dépêches*, Vol. II.

He owed his success as a general to prudence as well as courage. He was never known to trust to chance in any single point which care could anticipate; and till he saw some effective action among the English Catholics, besides rhetoric and fine promises, he was ill-inclined to risk the presence of his troops among them.¹ Chapin's message reached the ears of La Mothe, and probably therefore the ears of the Queen. He was again required to leave the country, and, as the order was persisted in, he was this time obliged to obey. Elizabeth merely told him that when the King of Spain would write to her under his own hand she would be willing to renew the negotiation. Meantime things remained as they were. Alva and Philip kept their hold on the little English property which they had arrested. Elizabeth kept the treasures, the ever-increasing piles of Spanish and Flemish goods, the ever-multiplying fleets of Spanish and Flemish merchantmen, with which her warehouses and her ports were choking.

The insurrection having exploded ineffectually, it remained to punish those who had taken part in it. But before relating the measures which the Government believed to be necessary, it remains to mention one more cause which had contributed to the failure of the enterprise. So many plans had intercrossed

¹ An expression of Philip's in one of his letters to Don Guerau shows that he thought particular care was necessary in dealing with English people: he was vain of his knowledge of the national character, and guided himself by consideration of its peculiarities: — "Por tanto fué bien no abriros vos con ellos (los Catolicos) ni alargaros á prometerles lo que os pedian, sin remitirlos al Duque; y de la misma manera procedereis en lo que mas ocurriese tocante á semejantes materias, por ser de qualidad que requieren tratarse con mucho miramiento y consideracion, y mayormente con los desta nacion que de su natural son sospechosos en todo tiempo y mucho mas en la ocasion presente." — Philip to Don Guerau, December 26: *MS. Simancas*.

that no two parties understood each other. The Spaniards, the French, the Duke of Norfolk, the Queen of Scots, the Council, had all been playing with separate schemes, and the best of the Catholics, who cared simply for the restoration of the faith, had shrunk from risking their cause upon a movement with the purpose of which they were so obscurely acquainted. Lincolnshire, which had been the scene of the first Catholic insurrection against Henry VIII., was found by Lord Clinton entirely apathetic. Yet Lincolnshire had not been converted to the Reformation, and the behaviour of the people there is explained by a singular address from "the knights and gentlemen" of that county to Philip II. It is described as having been largely signed among them, and represents without doubt the feeling of a very large portion of the Catholic party in England.

"They looked to Philip," these persons said, "as the Prince who had the chief right to their crown, being at once the most Catholic in himself and the most able to defend and maintain the Catholic religion. He had borne the title of King of England. His name was on the English statute-book, and to him they now looked as their liege lord and sovereign.¹ They entreated his Majesty not to suspect or look strangely upon this expression of their feeling towards him. His Majesty might already understand their reason for it; but in the service of God and the Commonwealth, they would briefly explain themselves.

¹ "Comme le Prince du monde qui tient droict et peult avoir droict et titre à la couronne d'Angleterre, comme le plus Catholique et le plus puissant Prince qui les peult défendre et secourir en la foy Catholique; et en ces deux endroicts ils se submettent leurs vies et biens à Vre Maj^{te} en toutz respectz et conditions, comme partient à Seigneurs et Noblesse qui tient Vre Maj^{te} pour leur Prince et Souverain."

"Your Majesty," they said, knows well the many rights and titles which are pretended to the crown of this country, and in what peril we all live by reason of them. The succession is claimed by the Earls of Huntingdon and Hertford and other notorious and ambitious heretics, with how little ground, either of justice or strength, appearing manifestly from the quarrels among themselves. Your Majesty knows also the right which is pretended by the Queen of Scots, and the many persons among us who support her claim. We acknowledge both her rights and her deserts as a most virtuous and Catholic Princess, and we are ready to accept her as our sovereign, if your Majesty will place her on the throne, with due securities for the Catholic religion and for the maintenance of the ancient alliance between the houses of Burgundy and England. But we are of opinion that if the Queen of Scots be set up by ourselves only in this island, her Majesty may marry some heretic either by compulsion or else for love,¹ and by this means, our country being infected as it is, she may become her husband's thrall, and we and England be thus ruined forever. That there is but too much likelihood of this, your Majesty may perceive from the purpose of marriage between her and the Duke of Norfolk, while it may be also that she will prefer her old friends in France and Scotland to the prejudice and entire destruction of the connexion with the House of Burgundy, which thing we are determined at all costs not to endure.

"The Prince, her son, is in the hands of heretics, and is educated in the heretic belief. We fear that he cannot be extricated from among them, save on conditions which will be dangerous to the Catholic religion

¹ "Par amour."

and dangerous to the English Commonwealth. We admit the right of the Queen of Scots because she is a Catholic, and as long as she survives, these inconveniences may seem the less to be feared ; but should the Queen of Scots die at no distant time, the case is altered. The Prince, her son, will never be accepted by the Catholics unless your Majesty take him under your protection, and unless he becomes himself a Catholic.

“ There are other matters also,” continued the unknown person¹ by whom the address was sent, “ on which it is unnecessary now to weary your Majesty. You will see how ardently these gentlemen devote themselves to your Highness, in God’s service, as their only Prince and Protector. We desire, and all Catholics for their own safety ought to desire, to see the administration of their country in your Majesty’s hands. The county which these gentlemen inhabit — their names are in the list which we attach² — is called Lincolnshire. The position of it by land and sea is convenient, as your Majesty will perceive, for any enterprise which you may think proper to direct against the present Queen. Should your Majesty be unwilling to undertake anything in the present Queen’s lifetime, yet in the event of her death, or of any other favourable contingency, we can point out to your Majesty by what means success may be assured, even before you put your hand to the work. We pray God it may please your Majesty to use the services of all and each of us, according to your good-will and power, to obtain an end so excellent in itself, so important to

¹ The address was accompanied by a list of names which has not been preserved, and by a letter unsigned also, but professing to be by one of the gentlemen by whom it was presented.

² List not preserved.

the service of God and the common weal of Christendom." ¹

From this document it is evident that distrust of Mary, distrust of Norfolk, and the position of the little James, were paralyzing the energies of the Catholics. Unless Spain was openly at their head they would not move, and the collapse of the insurrection requires no further explanation. It did not imply that the Catholics generally were loyal to Elizabeth, but only that at the crisis of their trial they were smitten with confusion. Their faith was no longer a fire at white heat in which the units would fuse together into a compact and harmonious whole, but a cold opinion which left every man to act for himself, subject to all deflections for his special ends, fancies, and temptations.

To return to the Border.

The Earls having escaped into Scotland, the Regent had now to meet the question, what was to be done with them? The rebellion was part of the general disturbance which was agitating both the realms. It had been plotted by the Bishop of Ross; and the Queen of Scots was the centre of it. In Murray's words, "it had branches unknown, extending to the farthest marches of both the realms." ² Had Elizabeth fallen, Murray would have gone to the scaffold; and little reason as he had for feeling himself under obligations to her, his own interest was as deeply concerned as hers in extinguishing the last sparks of the conflagration.

¹ Address in the names of the Knights and Gentlemen of Lincolnshire to Philip II: *MS. Simancas*. There is no date upon the MS. It belongs evidently to the year 1569, and was sent probably just before the insurrection, since in the letter there is a paragraph on the services to be expected from the Earls of Westmoreland and Northumberland.

² Murray to Cecil, December 22: *MSS. Scotland*.

Elizabeth would now undoubtedly require him to arrest the Earls, and circumstanced as he was he would find it no easy matter either to comply or to refuse.

The quarrel with Maitland had seriously shaken his hold on Scotland. The breach between these two men, who had once worked together so cordially, had now widened into an impassable chasm. They had no longer any single aim which they pursued in common.

Murray had but one principle which guided him in all that he undertook. He was heart and soul a Protestant. His feelings as a brother and a certain inbred generosity of temperament had more than once prevented him from consenting to measures which it might have been wiser and better to have allowed to take their course. He was ambitious for his country, and he had taken perhaps more interest than he ought to have done in his sister's views upon the English succession; but from the time when he could no longer blind himself to her character, he had laid aside every inferior consideration, and had set himself steadily to maintain the cause for which he really cared.

To Maitland, on the other hand, the Reformation had been interesting so far and so far only as it promised political greatness to Scotland. His keen understanding had shown him that the union of the two kingdoms was inevitably approaching; and full of Scotch pride and Scotch traditions, his one hope was to end the long rivalry in the way most glorious to his own people, and to place a prince of Scotch blood on the throne of the Plantagenets. The person was of little moment to him. He had brought the English to Leith in the belief that Elizabeth would marry the Earl of Arran. When Elizabeth refused and the French King died, and Mary Stuart came back, his

energies were then devoted to securing Mary Stuart's succession. When the Queen of Scots had seemingly wrecked her prospects by marrying Bothwell, he had assisted at the coronation of James, believing then that for her own sake Elizabeth would give him the place for which his mother had so long intrigued, and so pacify her own people and gratify Scotland through its pride.

But again Elizabeth disappointed him. Her theories of government, her sympathy with Mary Stuart's sufferings, her dread of the misinterpretation of the world if she did not protect her, kept the question of questions still unsettled. Maitland saw or thought he saw that the Queen of Scots must be eventually restored, and the discontent of the English Catholics and of the noblemen of the whole nation under an insecure and undetermined succession, opened a new opportunity to him through the Norfolk marriage. He had flung himself into the scheme with all his strength, careless where it would lead him, so only he could succeed in his great object. His knowledge, his powerful character, his intellectual cultivation, unusual in any age and unexampled in his own — above all the response in every Scotch breast to the aim which he was pursuing — gave him an influence which shook from Murray's side half of the best of his friends. Even the foolish ministers of the Kirk he had talked over — poor wretches who if he had succeeded would have been handed over to Alva's Blood Council. Knox only, who in mere worldly sagacity was Maitland's match, had been deaf to his persuasions.¹ He had divided the nobles. He had gained Hume and Athol, and, worse

¹ Maitland to Mary Stuart, August, 1569, intercepted ciphers: *MSS. Queen of Scots, Rolls House.*

than all, the chivalrous Kirkaldy of Grange. He had fed everywhere a restless expectation of the Queen's return; and at length the Regent, being determined to check his intrigues, had arrested him, on the evidence of Paris and Crawford, as an accomplice with Bothwell. He demanded his trial, and the 22d of November was fixed to give him an opportunity "for the declaration of his innocency." He wrote to every friend that he possessed, Catholic and Protestant, to request their presence, and when the day came Edinburgh was thronged with the armed retainers of half-a-hundred knights and noblemen who had come together to throw a shield over their favourite.

The Bishop of Ross and the historians who have followed him have charged Murray with personal ambition in assuming the government of Scotland. Never perhaps was there a position which any reasonable man would have less coveted. English statesmen in their calculation of the future of the country placed his murder among the most likely of contingencies. He had narrowly escaped at Northallerton on his return from the Conference. In the past July "*Lyon Herald*" had "conspired his death" and had been burnt for it.¹ At best he was set to rule the most lawless country in Europe except Ireland, half of it avowedly disaffected, without a revenue, without troops, without a man at his back except his own and his friends' servants. He was held responsible by Elizabeth for the peace of the Borders, yet she would not acknowledge him as Regent. At every turn of her fancy he was expected to be the instrument of her policy, and to receive his sister back either as his Queen or as his prisoner, as convenience or the humour of the moment happened to dictate.

¹ Calderwood.

In such a position there was little to envy; and that supreme and commanding integrity, which alone made a tenure of power under such conditions possible, alone could have tempted him to assume it.

Aware of the intended assembly of Maitland's party, he had quietly, with the Earl of Morton's assistance, collected a force large enough for his own protection if they tried to kill him. This done, he showed "no misliking of the convocation." He received every one who presented himself with his usual courtesy, but before opening the court he requested them all to meet him in the Council Room. There he reminded them briefly that when he was in France they had elected him to the Regency without his knowledge and against his will. He had sworn to administer justice faithfully during his government, and they on their part had promised to assist him in the execution of his office. They had now assembled in arms to prevent justice from being done, and he desired them to consider whether this was to observe their engagements. He had not interfered with their meeting; he had wished to show them that they could not frighten him; he had now merely to say that their further presence was unnecessary, as the trial would be postponed till it could be fairly conducted.¹

The Lords listened with such patience as they could command. They dispersed quietly, but Murray knew what their attitude boded. If the rebellion of the Earls gained head in England, they would immediately revolt. He sent word therefore to Elizabeth that he would assist her to the utmost of his power, and at once went down to the Border with all the men that he could collect. Thus it was that he came to be at

¹ Murray to Cecil, November 22: *MSS. Scotland*.

Jedburgh when the Earls arrived in Scotland. The English army had halted on their own frontier, but a demand was sent from Berwick to the Regent requiring him to arrest and give them up. By the treaties between the two countries, traitors were excluded from protection, but this particular article had never been observed. The Scots were tenacious of their right of asylum, and especially sensitive when England attempted to violate it. The Border outlaws, who would plunder a church with the same indifference with which they would sack a farm-house, drive their neighbours' cattle, or cut his throat, regarded the protection of a fugitive on either side of the line as the one duty of which neglect was disgraceful. To fly in the face of such a feeling would have been extremely dangerous at any time, and at the existing crisis their ordinary jealousies were aggravated by the resentment of party. The Scotts, the Kers, the Maxwells, the Humes, the Hepburns, were all Catholics, all devoted to the Queen of Scots, all sympathizers with the English Earls. Murray asked whether he might look for any assistance from Elizabeth to enable him to maintain a regular force. He had no resources of his own for such a purpose. "His own life was directly sought," and as things stood, it was Elizabeth's interest to uphold him.¹ He might have foreseen the answer to such an application. Nevertheless, for the sake of the good cause, with a half consciousness that he was sealing his fate in doing so, he determined to brave the popular feeling, and if he could not give up the Earls, at least to make them prisoners. Lady Northumberland had been left behind in the first haste of the flight. Her husband wished to rejoin her, and Hector Arm

¹ Murray to Cecil, December 22 (midnight): *MSS. Scotland*.

strong, Hector of Harlaw, whose name was ever after infamous in Border story, undertook to guide him. The Regent had notice where to look for him, and a party of horse were on the watch. He was taken somewhere in Liddisdale, not without a struggle. Some English borderers tried to rescue him, and Captain Borthwick, who commanded the Regent's troops, was killed; but the men did their duty, and the Earl was brought safely into Jedburgh.

Westmoreland and the Nortons, it might be thought, could have been taken more easily, for they were close under Murray's hand. Two miles up the valley through which the stream runs from which Jedburgh takes its name, on the crest of a bank which falls off precipitously to the water, stand the remains of Fernihurst, then the stronghold of the Kers. It was on a scale more resembling the feudal castles of the English nobles than the narrow towers in which the lords of Scotland commonly made their homes; and although the bugle-note blown upon the battlements could be heard in the marketplace of the town, the laird of Fernihurst offered an asylum to the fugitives, and there the whole party, except Northumberland, was soon collected. The Regent sent to demand them. Fernihurst answered that if he wanted them he must come to fetch them, and Murray, who had a strong force with him, made an effort to punish his insolence. But before Murray came in sight of the castle, his men deserted so fast, that out of eight hundred whom he took with him out of Jedburgh he had but two hundred remaining. It was a symptom too alarming to be neglected. Placing Northumberland on horseback in the middle of a party of troopers, he made straight for Edinburgh, and thence transporting him over the Forth,

he sent him to occupy the rooms which Mary Stuart had left vacant in the island tower of Lochleven. Nothing could have occurred more unfortunate for the Regent's influence; nothing that he could have done could have given him a stronger and more immediate claim on Elizabeth's support. Not the Border only but all Scotland was shaken. The national pride was touched, "and there was a universal cry that, cost what it would, the Earl should not be given up. The liberty was broken which should be free to all banished men."¹ Even Morton, who was Murray's main stay, declared that his country was disgraced. "Between Berwick and Edinburgh the Regent could not find one man to stand by him,"² "and where he had ten mortal enemies before, he had now a hundred." Along Tweed and Teviot the indignation rose to madness. The hospitality of the Border had been consecrated by the practice of two hundred years,³ and the fugitives at Fernihurst, who had come there "hunted and dismayed," found themselves suddenly in better case than when they were at Durham," for they had a whole kingdom at their back "bent to succour them."⁴ Under these circumstances, if Elizabeth intended to persist in her demand for their extradition, it might have been expected that she would have

¹ Hunsdon to Cecil, December 31: *MSS. Border*.

² Same to the same, January 11: *MS. Ibid.*

³ "Half Scotland is like to rise against the Regent," wrote Sadler on the 9th of January. — *MSS. Border*. "The most part of the nobility," wrote Hunsdon, "do think it a great reproach and ignominy to the whole country to deliver any banished men to the slaughter, accounting it a liberty and freedom to all nations to succour banished men" — Hunsdon to Elizabeth, January 13. *Memorials of the Rebellion*. And again: "The Earl of Morton is bent for the maintenance of the rebels. He does account it a great shame and reproach to all the country in doing the contrary." — Hunsdon to Cecil, January 11.

⁴ Same to the same, January 11: *MSS. Border*.

ordered her army to advance into Scotland, to help the Regent to execute her wishes. Had she been as conscious as her ministers of the actual humour of England, she might perhaps have done so. Northumberland since his capture had spoken freely of the magnitude of the Catholic Confederacy. He had threatened the Regent with the vengeance of the whole English peerage if he gave him up; and Lord Hunsdon, too conscious of the breadth of the disaffection, warned her that the troubles were not at an end, but only beginning. "She should make no account of money." "If she looked not to the bottom of the matter, the sore would fester and break out worse than ever." "It would fall out to be the greatest conspiracy that had been in the realm for a hundred years."¹ The Southern Catholics at that very moment, angry with themselves for their weakness, were concerting fresh measures to renew the struggle. Southampton and Montague sent to the Spanish Ambassador to beg him not to accept the Earls' discomfiture as an index of their real strength. They desired only that the Pope would relieve them of the uncertainty which had divided the North.² If the Pope would excommunicate Elizabeth and absolve them from their allegiance, they would not fail a second time. They would make arrangements beforehand that every man might know what was expected of him. They would then rise everywhere in a single day, and never rest till the Catholic religion was reestablished.³

¹ Hunsdon to Cecil, December 29: *MSS. Border.*

² "Tan bien me ha dicho el obispo de Ross que los Catolicos de aqui descan que su Santidad con alguna Bulla publicada en parte que aqui se entendiese, los diese libes de juramento que á esta Reyna han hecho, por no ser ella Catolica y intitularse Cabeza desta Iglesia." — Don Guerau to Philip, January 18: *MS. Simancas.*

³ *MS. Ibid.*

Elizabeth, not suspecting, or not choosing to suspect, the extent of treachery that was going on, believed that she could disarm conspiracy by seeming confidence;¹ yet with singular inconsistency, as will be presently seen, she was punishing the least guilty of the Northern rebels with a barbarity which could only be excused by her panic. She was bent upon getting the Earls into her hands, because she intended to try them and confiscate their estates, and she doubted whether in their absence she could carry their attainder through the House of Lords. At the same time she was quarrelling with the expenses, and quarrelling with the most loyal of her Council, whom she accused of having involved her in them. She listened, if she listened at all, to those "back councillors" whom Cecil so much dreaded, and of whom he so unceasingly complained. Still insisting that Murray should deliver Northumberland to her, she insisted at the same time that, as the rebellion was over, her army should be immediately dismissed; and so hasty, so peremptory, she was on this last point, that Sussex was compelled to disband half the troops with no better pay "than fair words and promises," while Scotland was exasperated into fury, and three counties were being driven wild with wholesale executions, which were only so far discriminating that the poorest of the people were chosen to be sufferers.

The opinion of the want of wisdom which Elizabeth was displaying in these matters is not the presumptuous censure of the half-informed modern historian. The disapprobation must have gone deep, when Cecil could have so written about her conduct as to call out

¹ "Let her Majesty look well to herself and not think all gold that glitters." — Hunsdon to Cecil, December 29.

the following answer from her own cousin and her most faithful servant Hunsdon :

LORD HUNSDON TO SIR WILLIAM CECIL.¹

" Berwick, January 13.

"I have received your letter of the 6th with a letter from her Majesty touching the Earl of Northumberland and the rebels, whereof you are not ignorant. I was glad of the coming of the letters, because I looked long for them, and secondly, because I hoped for better news than I have therein found, and especially in yours, which hath so appalled me, as I am almost senseless, considering the time, the necessity her Majesty hath of assured friends, the needfulness of good and sound counsel, and the small care it seems she hath of either. Either she is bewitched, or else this practice of her destruction which was meant should have taken place perforce and by arms, being burst out before the time, being partly discovered and a little overthrown, is meant to be performed by practice and policy. For what nearer way can there be to achieve to this purpose than to discredit her faithfullest councillors, and to absent her most assured friends from her, whereby they may work all things at their will? I will condemn none, but God send her Majesty to have trusty friends about her and to follow good counsel; for although the upper skin of this wound be partly healed, the wound festers, and if it burst out again I fear me it will be past cure. It grieves me to see that her Majesty cannot be induced to think well of those that serve her best."

Considering that as yet not a single blow had been

¹ *Border MSS.*

struck in the rebellion, and that the active violence had been confined to the bloodless capture of Barncastle, the work of vengeance which the Council of York were unwillingly compelled to execute had been beyond example cruel. Though the leaders had escaped, many gentlemen had been taken in the closeness of the pursuit, and the prisons at Durham and York were crowded with unfortunates who had straggled back to their homes, and had been denounced and arrested. It was the theory of the Constitution, sanctioned so far by immemorial custom, that the lands as well as the lives of traitors should be forfeited to the Crown. Under the feudal system estates were held under the sovereign in consideration of active duties to be performed by the holder. Although military tenures were lapsing into more immediate and absolute ownership, yet security of property under the law involved as a matter of course obedience to the law, and, irrespective of higher considerations, all governments must be held entitled to indemnify themselves for the expense of repressing rebellion at the cost of those who have occasioned it. That the Crown in the present instance was entitled to avail itself of its right was implied in the nature of the case. Rebellions are never without pretexts which can be pleaded in their justification. The long peace which the country had enjoyed, the cessation of State prosecutions in so striking a contrast with their frequency in the previous reigns, the general prosperity of England contrasted with the confusion and anarchy of the continental kingdoms, gave the Queen a fair claim upon her subjects' loyalty. The Catholics had not been permitted the open exercise of their religion ; but there had been no inquisitions, no meddling in private with the rights

of conscience, no revenge for the Marian persecutions. Her sister's bishops had been deprived and imprisoned for refusing to take the oath of allegiance, but the government, wherever it had not been openly defied, had closed its eyes to the evasion of the law. The country was still full of Catholics, and the Protestant authorities had been prohibited from indulging their natural desire to punish them. In fact if not in theory there had been substantial toleration ; and whatever may be thought now of the prohibition of the mass, the success in modern times of a more generous system is no proof that it would have answered amidst the passions of the Reformation.

It may be said that so far Elizabeth had governed the country extremely well and with extreme forbearance. In declining to marry she had indeed severely tried her subjects' patience, and the difficulty of choosing a successor from among the many competitors should have furnished an additional inducement to overcome her natural reluctance. If ever circumstances could be conceived which demanded a sacrifice of such a kind, the prospects of England in the event of Elizabeth's death left her in this respect without excuse. Yet towards the Queen of Scots, "the daughter of debate," who was the occasion of her worst perplexities, she had acted with a weakness which her loyal subjects had a right to condemn, but which, justly looked at, had left little ground for complaint to the friends of her rival. She had saved her life, and she had saved her honour, when she might have spared herself all further trouble on her account by publishing the proofs of her infamy. These proofs Northumberland and Westmoreland had seen, had admitted, and in the rebellion itself had never ventured

to challenge ; yet they had committed the last and worst form of treason — they had invited a foreign army into the kingdom, imperilling the national independence as well as the throne of the sovereign. There was nothing therefore except its bloodlessness in the circumstances of the rebellion which called for any particular leniency, and those who look back upon such a condition of things from times when the danger from similar combinations has long passed away, are apt to be misled by their natural compassion for sufferers, and from the instinctive sympathy with those who risk and lose their lives in a public cause.

It is equally certain, however, that there may be seen in the conduct of the Government at all times, and after all necessary allowance, the working of questionable passions ; and the retributions inflicted upon the Northern insurgents show undoubtedly that anger and avarice had for a time overclouded Elizabeth's character.

The complaints of the Queen about expense while the rebels were in the field had been incessant. Every letter which Cecil wrote contained some intimation or other of the extreme difficulty of getting money from her. After the flight and dispersion from Durham, orders were immediately sent down that "some of the rascals should be hanged by martial law,"¹ but care was to be taken that none of the "richer sort" should suffer in that way. Death by martial law would not touch property, and the object was to make sure of the forfeitures.

Lord Sussex still received "hard constructions" at the Court ; "he was supposed to have connived at the Earls' escape, and to have neglected precautions which

¹ Cecil to Sadler, December 20: *Sadler Papers*, Vol. II.

would have prevented them from reaching Scotland.”¹ The Queen therefore determined to make him the instrument of her severity, and he was directed to make a list of all the principal persons known to have been with the rebels, or to have assisted them with armour, food, or money. These persons he was immediately to arrest. If he was anywhere at a loss, he might take men on suspicion. He was to commit them “to strait prison,” “and as need should be” “pinch them with some lack of food and pain of imprisonment till they declared the names of as many as they could remember.” This done, on a given night, and at the same hour, there could be a general seizure; especial care being taken to apprehend “all priests, constables, bailiffs, and others that had held any office.”² The fish thus netted were then to be sorted into two classes: “of those who had no freeholds, copyholds, nor any substance of lands,” a sufficient number were to be selected, and to be immediately hanged by martial law in the parish green or marketplace where the rebels had held their assemblies: the servants of any principal insurgent were to suffer also, the scene of their execution being the neighbourhood of their masters’ houses; and “the bodies were not to be removed but to remain till they fell to pieces where they hung.”

The rest were to be formally tried, that her Majesty might be duly assured of her escheats. If “corruption or lucre” prevented a fair verdict — that is to say, if judgment were not given for the Crown — the prisoners were not to be released, but the trial adjourned to the Star Chamber.

¹ Cecil to Sadler, December 25.

² Cecil added in a separate clause: “Some notable example to be made of the priests that have offended in this rebellion.”

"For the avoiding of desperation," a proclamation was sent out that any one who was not already taken and would surrender of his own accord might be received to mercy. But it was added that if those who had been culpable should fly from the country they should never receive pardon at all.¹

The first part of these instructions was immediately acted upon. An indefinite number of unfortunate people were seized, and out of them six or seven hundred artisans, labourers, or poor tenant farmers were picked out for summary execution. Lord Sussex was scrupulous not "to include any person that had inheritance or wealth, for that he knew the law." Those were chosen whose worst crime was that they had followed the gentlemen who by the constitution of the country were their natural leaders, and these, besides "the prisoners taken in the field," were to be distributed about Yorkshire and hanged. "He meant to use such discretion," he said, "as that no sort should escape for example, and that the example should be, as was necessary, very great."²

If the seventy persons hanged in hot blood after the fight at Carlisle be not included, the number of persons executed after the Pilgrimage of Grace did not exceed forty, and among those "the common sort" were not represented. The tendency of a government to be harsh is in the ratio of its weakness; and Elizabeth, to whom nothing naturally was more distasteful than cruelty, when Sussex's arrangements were made known to her, was only impatient that they should be completed. There had been some delay, perhaps in determining the spots where the

¹ Notes for the suppression of the rebellion, December 31, 1569.

² Sussex to Cecil, December 28: MSS. *Border*.

executions were to be. She wrote on the 11th of January that "she somewhat marvelled that she had as yet heard nothing from Sussex of any execution done by martial law as was appointed." She required him, "if the same was not already done, to proceed thereto with all the expedition he might, and to certify her of his doings therein."¹ Sussex had no need of the spur, and had been only too anxious to clear himself of suspicions of disloyalty. Before the letter reached him the victims had been made over to the Provost Marshal. Sir George Bowes, who had undertaken to superintend the process, was stringing them leisurely upon the trees in the towns and village greens. Eighty were hanged at Durham, those chiefly who had taken a part in the Catholic jubilee at the Cathedral. Forty suffered at Darlington, and twenty of Bowes's own deserters on the walls at Barncastle. It is some relief to find that the wives and children of those who were executed "were favourably dealt with;" orders were given that "not only they should have no cause to complain, but should be satisfied" — whatever that might mean.² But the hanging business itself went on rapidly and mercilessly; "the lingering bred offence;" and on the 23d of January, Bowes reported that he had put to death "about six hundred," besides those who had been disposed of by Sussex himself.

Among contemporary engravings representing the condition of Europe at this period, may be seen pictures, intended to excite the pity and the passions of the Protestants, of the scenes in the French and Flemish towns when they were taken by the Catholic

¹ Elizabeth to Sussex, January 11: *MSS. Border.*

² Bowes to Sussex, January 8: *Memorials of the Rebellion.*

troops. There is death in all its horrors; men torn in pieces by wild horses, children tossed to and fro upon the soldiers' pikes, families perishing amidst their own blazing houses. But chiefly noticeable are long rows of what once were living men, artisans and tradesmen, in their simple working dresses, dangling in seemingly infinite numbers as far as the eye can follow them down the narrowing streets. Twenty Huguenots were murdered in France for every Catholic in England. But in those Northern villages there were spectacles of the same description. The difference was in the degree of the cruelty not in its kind. Sir George Bowes reported "that the people were in marvellous fear," and that the authors of the rebellion were cursed on every side.¹ But it was a fear which was accompanied with no sense of deserved suffering. Their condition, as described by a correspondent of Cecil's, was rather one of "mad desperation," and a passionate prayer for some turn of fortune which would give them their chance of revenge. They saw the gentlemen who were the occasions of the mischief spared — they knew not why. They saw themselves hunted down and destroyed as if they were wolves. and the effect of "the example" was only to increase the danger of another insurrection.²

Still Elizabeth was not satisfied. She seemed pos-

¹ Sir George Bowes to Ralph Bowes, January 23: *Memorials of the Rebellion*.

² "Though many have suffered and many are shorn to the bare pith, yet because few or none of the gentlemen have tasted of judgment who only were the incentors to all, the danger is rather doubled than in any respect foredone." — to Cecil, February 6: *MSS. Border*. In Northumberland, where Warwick commanded, there was comparative mercy. In Yorkshire and Durham the Catholics flattered themselves "that the execution of so many poor men had hardened and exasperated the rest." — La Mothe, January 21: *Dépêches*, Vol. II.

essed by a temper unlike any which she ever displayed before or after. When the martial law was over, she ordered the Council of York "to attaint all offenders that might be gotten by process or otherwise;" till at length the Crown prosecutor, Sir Thomas Gargrave, was obliged to tell her that if she were obeyed "many places would be left naked of inhabitants;" "the poor husbandman, if he was not a great Papist, could become a good subject," and she would do well to grant a general pardon, from which only a certain number should be excepted.¹

The turn of those came next who had property to be escheated, and who were therefore to be dealt with less precipitately. With these an unexpected difficulty arose from the Palatinate rights of the Bishop of Durham. There was a fear that the forfeitures within "the bishoprick" would fall to the See; and Sussex, wishing to so manage matters that the Queen "should take a good and a long breath upon these northern gentlemen's lands," suggested that she should either "compound with the Bishop for his royalties," or else translate him to some other diocese, when, in the vacancy of the See, "all would grow to her Majesty."²

Elizabeth would not have allowed a bishop to stand between her and "her commodity," and had the law stood as was at first supposed, she would have found her way through it somehow. But Sussex, it seems, was mistaken. Pilkington ventured a faint plea for himself. The Queen ordered him back to his duties, from which he had fled at the outbreak of the rebellion, and the law authorities ruled that in cases of high treason, by the 25th of Edward III., "all forfeitures

¹ Sir T. Gargrave to Cecil, February 6: *MSS. Border.*

² Sussex to Cecil, December 25: *MS. Ibid.*

of escheats, in all places and under all circumstances, belonged to the Crown."¹

This objection being disposed of, a Special Commission sat at York, and the trials began. The most important of the prisoners were carried to London that their examinations might be taken by the Council before their execution. Of the rest, a number of gentlemen were tried, of whom eleven were found guilty. Four of these were immediately put to death; seven were recommended to mercy for reasons which might not have been anticipated, but which, when mentioned, become intelligible.

The first, Henry Johnson, had married a daughter of old Norton. He was described as "a simple person abused by his wife;" but he was not to be spared for "his simplicity." His estates were settled on his wife, "so that by his life the Queen would have his lands, and by his death his wife would have them."

Two others, Leonard Metcalf and Richard Claxton, were in the same predicament. They were both men of hitherto blameless conduct, but the argument in their favour was that the Government would lose by their execution.

John Markinfield, a boy under twenty, was attainted "only to bring his title to his brother's lands to the Queen."² It was not meant that he should die, for that he had no land."

Ralph Coniers was a Protestant who had been led into the rebellion only by loyalty to the Earl of Westmoreland. He had only a life interest in his estates.

¹ *Border MSS.*, February 19, 1570.

² The elder Markinfield, who had been one of the principal movers of the rebellion, was with Westmoreland at Fernihurst. If he was not given up he could be attainted by Parliament; but his brother had some right in the estates which his attainder would not touch.

Richard Lambert, alone out of the seven, the Queen was advised to spare on the fair ground of good character.^a

The most singular argument for clemency was that which was urged in behalf of the last—Astolph Cleisby: he had no property, and there was thus no special incentive for his execution; Lord Hunsdon's son, Henry Carey, once thought of for the Queen of Scots, was a suitor for one of the three daughters and co-heiresses of Lord Coniers. It was conceived that Cleisby, "being in great credit with all the sisters," "might assist if his life was spared in bringing about the match."¹

After some hesitation Elizabeth admitted the recommendations, and all the seven were spared.² Two sons of old Norton and two of his brothers, after long and close cross-questioning in the Tower, were tried and convicted at Westminster. Two were afterwards pardoned. Two, one of whom was Christofer, the poor youth who had been bewitched by the fair eyes of the Queen of Scots at Bolton, was put to death at Tyburn with the usual cruelties.

But so far, after all, the Queen had gained but little. The principles on which the gentlemen had been dealt with had not tended to satisfy the commons as to the equity of an administration which had hanged the poor without mercy, and spared the rich who misled them, when anything was to be gained by their lives; while the owners of the great estates which were to repay the expenses of the army were safe within the Scottish Borders.

¹ Proceedings of the Commission at York: *Memorials of the Rebellion*.

² It is interesting to observe that Henry Carey did not, after all, obtain the object of his wishes. — Dugdale, Vol. II. p. 291. *Article, Coniers*.

If they escaped abroad the Queen could not touch their lands without an Act of Parliament, and in the way of this there would be difficulties which she was earnest to avoid. She again wrote therefore to demand them of Murray; but Murray, had he been willing to comply, was evidently without the power, and she had to think of other means. If force was costly, treachery might be cheap. Sir Robert Constable has been seen once in the discharge of his dishonourable office. Still maintaining the character of a concealed friend, he followed his cousin to Fernihurst, where he was warmly received by the Laird and all the party. Both Westmoreland and old Norton complained of the cowardice of the Southern Catholics; and Constable, whose business was to tempt them if possible to come back to England and sue for their pardons, humoured their discontent, and began cautiously to suggest, that, instead of trusting to rebellion, they should try some other plan. Westmoreland was proud of his birth, proud of his honourable house, and shrunk with English sensitiveness from a taint upon his scutcheon. It was easy to persuade him that he would be of more use to the cause which he had at heart, by working legitimately by the side of his friends at home, than by staying abroad and waiting for revolution, or by intriguing to bring foreign armies upon the soil of his country. Westmoreland was soft and weak. "The tears overhauled his cheeks abundantly." Norton appeared equally penitent. They both thought it might be better for them "to take their chance by voluntary surrender than to risk being taken." The moment for the temptation was well chosen. Westmoreland had reason to doubt the continued hospitality of Fernihurst. He had been amusing himself with the Laird's

"new wanton lady," a daughter of Sir William Kirkaldy, and had disturbed the peace of the household. Constable advised them to go to England and "hide at some friend's house," from which they "could make their submission, craving nothing but life." He offered them "his own guides," "Border outlaws, who would not betray any man that trusted in them for all the gold in Scotland or in France." He even said in his generosity, "that he would receive them in his own home, where they might be sure of such safety as he could provide; for if they were taken he would hang at their side."

They required a few hours to consider. To support his character, Sir Robert spent the night at a house in Jedburgh, which was the haunt of the most desperate men upon the Borders. The place was thronged with them. They were playing at cards when he came in, "some for drink, some for hardheads."¹ He sat down at the game. They were talking of the Regent. "They wished they had Hector of Harlaw's head to be eaten among them at supper; and as to Murray, "some said he could not, for the honour of his country, deliver the Earls, if he had them both, unless the Queen was restored;" others, that "if he would agree to that change, the Borderers would start up and rieve both Queen and Lords from him, for the like shame was never done in Scotland."² The next morning he saw Westmoreland again. Neither he nor Norton had made up their minds. The Earl said he could not leave Fernihurst without making the Laird some present for his hospitality. He desired Constable to go to the Countess, who was still in Eng-

¹ A small coin.

² Constable to Sadler, January 12: *Sadler Papers*, Vol. II.

land, and ask her to give him some choice jewel, with which he could return to Jedburgh. After that he gave him hopes that he would follow his advice, and Sir Robert went back over the moors, "the extremest day of wind and snow that ever he did ride in," to make the necessary arrangements with his employers.

"Although," he wrote to Sir Ralph Sadler, describing what he had done — "although it was a traitorous kind of service that he was wading in to trap them that trusted in him, as Judas did Christ, yet, to prevent the ills which might come of their liberty, neither kindred nor affection should withhold him to allure them to come to submission. He hoped the Queen would pardon their lives. Should it turn to the effusion of their blood, his conscience would be troubled all the days of his life." At all events, he trusted that they would not be seized while under his own roof. There would be opportunities to take them upon the road; he could "turn the ball into the warden's lap." But his secret must be kept; "sooner than his doing should be known, he would rather be torn every joint from other." If the Earl and Norton changed their minds, the Laird of Fernihurst was poor and covetous. He was jealous of Westmoreland, and he had those about him "that might persuade him to do anything for profit." "A thousand pounds wisely bestowed would effect more than ten thousand men."¹

Lord Hunsdon, it seems, had no inclination for dealings of this kind. He never ceased to urge that the Queen should "more regard her honour than her purse." Sooner or later she would be obliged to send troops into Scotland, or "receive the shame to have

¹ Constable to Sadler, January 12: Sadler *Papers*, Vol. II.

her rebels kept whatever she could do.”¹ Sadler, however, sent Constable’s letter on to the Court; Cecil showed it to the Queen; and after receiving her instructions, replied that Constable was to be encouraged to proceed. “Her Majesty,” he said, “will have him secretly dealt withal to prosecute his enterprise, to train the rebels to his house, or otherwise to some place in England, where they may be so apprehended as he may escape the imputation of any crime. The rather for the covering of the enterprise, he (Constable) may also be apprehended, and be outwardly charged with offences against her Majesty, and in so doing her Majesty commands me to assure you he shall be largely rewarded.” “If this enterprise cannot take effect, then her Majesty would he should make offer of money to some in Scotland for apprehending of them, and whatever you shall warrant him to offer, not being above 1000*l.*, it shall be performed; her Majesty is very desirous to have these noysome vermin taken.”²

“The less the sum be,” wrote Sadler, in sending the order on to Constable, “the better service shall you do, and the greater will be your own reward. Her Majesty doth take your services in good and thankful part; her Highness’s pleasure is that you proceed in that you have begun.”³

But Elizabeth was not permitted to soil her fame with successful treachery. Before Constable could return to his villain work, a darker treason had struck a nobler victim; and in the outburst of anarchy which

¹ Hunsdon to Cecil, January 22: *MSS. Border.*

² Cecil to Sadler, January 18: *Sadler Papers*, Vol. II.

³ Sadler to Constable, January 23: *Ibid.*

followed in Scotland, she learnt the lesson which Hunsdon had laboured in vain to teach her.

The Earl of Murray was as conscious as Cecil that the interests of Scotland and England could not be separated. It was as essential to the stability of the throne of Elizabeth that his own Regency should be maintained, as it was to himself that the Catholic noblemen should fail in their intended revolution. With a fair understanding he was ready to brave unpopularity, and to assist her by repressing the sympathizers with the Earls, if she in turn would support him against the party of the Queen of Scots. It was impossible for him to continue to work upon the terms which Elizabeth had hitherto imposed — to do what she required as if he was her subject, yet to do it without recognition, without help, at the expense of himself and his friends. At such a crisis as the present to fly in the face of the traditions of his country, was to expose himself to almost certain destruction by exasperating the national jealousy of the most sensitive people in the world.

Such relations between them could not last, and it was high time that Elizabeth should know it. To her last demand for the extradition of the refugees the Regent replied by sending his secretary, Elphinstone, to Cecil, "with a private communication." Many a bitter wrong had Murray to complain of, had he cared to dwell upon his personal grievances; but personal ill-treatment was never a matter on which he cared to dwell. After touching on the rebellion, he ran briefly over the events of the three past years; the murder of Darnley, the marriage of Mary Stuart with Bothwell, the sequestration of her person at Lochleven, her escape, and the battle at Langside. The flight into

England had followed, and afterwards the practices of the Queen to sow sedition, to maintain Papists, to pretend title to the crown, to marry with the Duke of Norfolk, and to be restored to her own government; while Murray himself had been forced to despair of the favour of the Queen's Majesty, "by means that the said Scottish Queen had such favourers in England, as well of Papists as others that favoured her marriage."

Under all disadvantages he had held his ground in the Regency for two years; but he had come to the end of his resources. The Queen's partisans were labouring incessantly to undermine and overthrow him. "Those who had been concerned in the murder" were afraid of being punished by him; "the Hamiltons and the Earls of Huntly and Argyle being of alliance in blood, would ever be adverse to the King;" and he was left almost alone to sustain the malice and danger of all those parties. The noblemen who had stood by him at the beginning "were wearied with continual charge of assemblies." "They served at their own cost at Langside, afterwards in a journey into Galloway, next in the Parliament in August, 1568; after that, in the journey into England, then in the journey to Glasgow to meet the Duke and Lord Herries, then in the months of March and April on the Borders. Again, there had been the long and costly journey into the North against the Earl of Huntly and his partakers;" "then the convention at Perth, and then service again upon the Borders." All this he and his friends had done without assistance, from their own means. For the future, if Elizabeth meant "to take profit by Scotland," she must be prepared to take a share in the expenses. 2000*l.* a year, with a supply of powder and

arms, would be sufficient; but that sum at least he was entitled and obliged to ask, and to demand further, that she would openly recognise the King's government, and declare to the world that she intended to maintain it. These two requests conceded, he would undertake to govern Scotland in the manner most conducive to Elizabeth's interest; otherwise, "he must forbear to venture his life as he had done." If he was less careful to please England he could make his position easier at home; although it was true that dangers would then ensue to both the realms, by the increase of the Popish factions. He desired Elizabeth to be reminded that "she had the head of all the troubles at her commandment. The rebellion was not ended, it had more dangerous branches, and if it was not now remedied the fault would lie with her Majesty."¹

There was not a word in all this which was not most reasonable and true, but Elphinstone came to the Court at an inconvenient time. Impatient, unjust, and headstrong, Elizabeth said, that for the money and the other matters of which Murray had written, she would think over the subject, and send some one to communicate with him about it. Meantime, she must have "her rebels." Sadler, Sussex, Hunsdon, had told her with one voice that it could not be—it would cost Murray his life to try it; but she did not care or did not choose to believe them. The rebels, she said, "besides high treason against herself and her crown," "had purposed the alteration of the common religion established in both the realms;" they must be given up to her at once.²

¹ Murray to Cecil, January 14: *MSS. Scotland*. Notes of the matter of Mr. Elphinstone's instructions: *Ibid*.

² Elizabeth to Murray, January 28.

The ink was scarcely dry upon her letter before she learned that the fears of those who understood Scotland better than herself had been too fatally justified.

Although to the Catholics, to the friends of Mary Stuart, to the friends generally of anarchy and the right of every man to do as he pleased — a large class at this time in Scotland — the administration of Murray was in every way detestable, yet the disinterested integrity of his character, the activity and equity of his government, had commanded respect even from those who most disliked him. They might oppose his policy and hate his principles, but personal ill-will, as he had never deserved it from any one, had never hitherto been felt towards him, except by his sister. The arrest of Northumberland, and the supposed intention of surrendering him to Elizabeth, had called out a spirit against him which had not before existed, and an opportunity was created for his destruction which had been long and anxiously watched for.

The plot for the murder was originally formed in Mary Stuart's household, if she herself was not the prime mover in it.¹ The person selected for the deed was James Hamilton of Bothwellhaugh, nephew of the Archbishop of St. Andrew's and of the Duke of Châtelherault. The conduct of the Hamiltons for the ten past years had been uniformly base. They had favoured the Reformation while there was a hope of marrying the heir of their house to Elizabeth. When this hope failed, they tried to secure Mary Stuart for him; and when she declined the honour, thought of carrying her off by force. The Archbishop had been

¹ "Dice el dicho Embajador de Escocia que era ya cosa concertada entre particulares criados de la Reyna." — Don Francis de Alava to Philip: Teulet, Vol. V.

a party to the murder of Darnley. He had divorced Bothwell and helped the Queen to marry him, in the hope that she would ruin herself. When she was at Lochleven the house of Hamilton would have voted for her death if their title to the crown had been recognised. Had they won at Langside she was to have repaid their service by marrying the Abbot of Arbroath.

A steady indifference to every interest but their own, a disregard of every obligation of justice or honour, if they could secure the Crown of Scotland to their lineage, had given a consistency to the conduct of the Hamiltons beyond what was to be found in any other Scottish family. No scruples of religion had disturbed them, no loyalty to their sovereign, no care or thought for the public interests of their country. Through good and evil, through truth and lies, through intrigues and bloodshed, they worked their way towards the one object of a base ambition.

Murray was the great obstacle. With Murray put out of the way the little James would not be long a difficulty. For the present and for their immediate convenience they were making use of Mary Stuart's name, as she for her own purposes was making use of theirs. The alliance would last as long as was convenient, and at this point they were united in a common desire for the Regent's death.

Bothwellhaugh had been taken at Langside. His life was forfeited, and he had been pardoned by Murray, against the advice of those who knew his nature and the effect which generosity would produce upon him. His lands had been escheated and taken possession of, his family were removed from his house, and picturesque visions of a desolate wife driven out into the woods to wander shelterless, have served in the

eyes of Mary Stuart's admirers to justify the vengeance of a half-maddened husband. But the story rests on legend. Such indeed had been the actual fate of Lady Murray when Mary Stuart was in the flush of her successes after her marriage with Darnley; but the Castle of Hamilton was large enough to receive the household of so near a kinsman of its chiefs, and Bothwellhaugh was the willing instrument of a crime which had been concerted between Mary Stuart's followers and the sons of the Duke of Chatelherault. Assassination was an accomplishment in his family. John Hamilton, a notorious desperado, who was his brother or near relative, had been employed in France to murder Coligny, and, singularly enough, at that very moment Philip II., who valued such services, had his eye upon him as a person who might be sent to look after — so Philip pleasantly put it — the Prince of Orange.¹ The cavalier would have taken with the utmost kindness to the occupation, but his reputation for such atrocities was so notorious that Philip was advised to choose some one against whom the Prince would be less likely to be upon his guard.²

Edinburgh not offering convenient opportunities, an

1. "Caías me ha dicho de parte de V. Mag^d que mire si seria á proposito este Cabellero Escoces para enviarle á buscar al Principe de Orange. El dicho Cabellero es tenido por animoso mucho, y ha lo mostrado en dos cosas particulares que se le han encommendado, que siendo muy dificultosas las ha hecho muy redondes; y creo que con solo ponerle yo en que fuese á buscarle, sin que entendiese que es voluntad de V. Mag^d, lo hará y se arrojaría á cual quien peligro. Pero parece que un hombre tan notado y conocido por los casos que le han sucedido, y que tambien es notorio en Francia y en otras partes que le convidaban á matar al Almirante, podría con mas dificultad que otroir al efecto arriba dicho sin ser descubierto." — Parecer de Don Francis de Alava, February 24, 1570: *MS. Simancas*.

² Singularly also, after his present work was accomplished, the choice for this purpose fell actually on the murderer of Murray. It was no fault of Bothwellhaugh that he was not either the executioner or contriver of both

intimation was brought to Murray that if he would go to Dumbarton Lord Fleming was ready to surrender the Castle. He went as far as Glasgow but only to find that he had been misled, and he returned after a few days to Stirling. Bothwellhaugh had been on the watch for him at more than one spot upon the road, but he had been unable to make certain of his aim, and he did not mean to risk a failure. Circumstances requiring the Regent's presence again in Edinburgh, he left Stirling on the afternoon of the 22d of January,

of the vilest assassinations which disgraced the sixteenth century in Europe.

On the 23d of September, 1573, Bothwellhaugh wrote thus from Brussels to Alava:—

"My affairs, thank God, are in good case. I found the Duke of Alva at Amsterdam, where I spoke with Albornoz (the Duke's secretary) on the thing you wot of. The King of Spain will, I hope, soon know my desire to serve him. I am working on all sides to put matters in train, and I have found a gentleman of my nation who has been a captain in Haarlem well fitted for such an enterprise. He is very brave, and I have so worked upon him with promises and persuasions that he has gone after the Prince of Orange to finish the job. Trust me, if the thing is practicable he will do it."—Teulet, Vol. V. The gentleman, notwithstanding his fitness, failed. But Hamilton was not disheartened and made another trial.

On the 16th of May, 1575, Aguilon, secretary of the Spanish Embassy at Paris, wrote to Cayas:—

"James Hamilton tells me of a practice which he and another Scot have in hand against the Prince of Orange. He meant to speak about it with Don Sancho d'Avila, but I told him he had better address himself to the governor at once, that there might not be too many persons in the secret. I gave him a letter of introduction and all possible encouragement, pointing out the service which he would do to God, his Majesty, and the Estate of Christendom."—*Ibid.*

Finally it seems that these Hamiltons, John as well as James, were no better than hired bravos and were not particular whom they murdered, if they could gain anything by it. John Hamilton for several years managed the secret correspondence between Mary Stuart and Alva. In the spring of 1573, when he saw that Mary Stuart was going to fail, he began to think of doing something to recover favour with the other side, and he sent word from Brussels to the Earl of Morton, "that he was at the Regent's command to do what service he would, either there with the Duke of Alva, or with the Queen of Scots."—Killegrew to Burghley, March 4, 1573: *MSS. Scotland.*

and that night slept at Linlithgow. The town then consisted of one long narrow street. Four doors beyond the Regent's lodgings was a house belonging to the Archbishop of St. Andrew's which was occupied by one of his dependants. From the first landing place a window opened upon the street, the staircase leading directly down from it to the back garden, at the end of which was a lane. A wooden balcony ran along outside the house on a level with the window. It was railed in front, and when clothes were hung upon the bars, they formed a convenient screen behind which a man could easily conceal himself. Here on the morning of the 23d couched Hamilton of Bothwellhaugh. The Abbot of Arbroath had lent him his own carbine ; the best horse in the stables of Hamilton Castle was at the garden gate in the lane, a second was waiting a mile distant, and any one who rode down the street in the direction of Edinburgh would have to pass within three yards of the assassin's hiding-place. The secret had not been kept with entire fidelity. Some one, it was not known who, came to Murray's bedside before he rose, told him that Bothwellhaugh was lying in wait for him, and named the house where he would be found.¹ But Murray was the perpetual object of conspiracies. He received similar warnings probably on half the days on which he went abroad. He had made up his mind to danger as part of his position, and he had ceased to heed it. He had no leisure to think about himself, and whether he lived or died was not of vital moment to him. He paid just sufficient attention to the warning, to propose to leave the town by the opposite gate ; but when he came out and mounted his

¹ Hunsdon to Cecil, January 26: *MSS. Border*. Compare Calderwood and Buchanan.

horse, he found his guard drawn up and the street not easily passable in that direction, and he thought too little about the matter to disturb them. It was said that he would have started at a gallop. But the people were all out to look at him. To have ridden fast through the crowd would have been dangerous, and so at a foot's pace he passed in front of Bothwellhaugh. To miss him so was impossible.

The shot was fired—he put his hand to his side and said that he was wounded; but he was able to alight, and leaning on Lord Sempell he returned to the house which he had just left. He had been hit “above the navel at the buttoning of the doublet.” The ball had passed through him and killed a horse on the other side. In the confusion the murderer escaped. The clothes upon the rail concealed the smoke, and minutes passed before the window was discovered from which the shot had been fired. Parties of men were on wait in the lane to defend him if he was in danger; but their help was not required, and in a few hours he himself had brought the news of his success to Hamilton Castle, where he was received with an ecstasy of exultation.¹ Thence a day or two after he made his way to France, to be employed as the reader has seen, to receive the thanks of Mary Stuart, and to live upon the wages of this and other villanies.²

¹ Information anent the Regent's murder, February, 1570: *MSS. Scotland*.

² Mary Stuart denied that she had directed the murder, but she was heartily delighted at it, and she gave Bothwellhaugh a pension. On the 28th of August, 1571, she wrote to the Archbishop of Glasgow—

“Ce que Bothwellhaugh a faist a esté sans mon commandment, de quoy je luy sçay aussey bon gré et meilleur que si j'eusse esté du Conseil. J'attend les memoires que me doivent estre envoyez de la recepte de mon donaire pour faire mon estat, où je n'oublyeray la pension dudict Bothwellhaugh.” — *Labanoff*, Vol. III. p. 341.

The Regent did not at first believe that he was seriously hurt, but on examination of the wound, it was seen that he had but a few hours to live. His friends in their bitter grief reminded him of the advice which he had neglected after Langside. He said calmly that "he could never repent of his clemency." With the same modest quietness with which he had lived he made his few arrangements. He commended the King to Sempell and Mar, and "without speaking a reproachful word of any man," died a little before midnight.

Many a political atrocity has disgraced the history of the British nation. It is a question whether among them all there can be found any which was more useless to its projectors or more mischievous in its immediate consequences. It did not bring back Mary Stuart. It did not open a road to the throne to the Hamiltons, or turn back the tide of the Reformation. It flung only a deeper tint of ignominy on his sister and her friends, and it gave over Scotland to three years of misery.

With a perversity scarcely less than the folly which destroyed his life, his memory has been sacrificed to sentimentalism; and those who can see only in the Protestant religion an uprising of Antichrist, and in the Queen of Scots the beautiful victim of sectarian iniquity, have exhausted upon Murray the resources of eloquent vituperation, and have described him as a perfidious brother building up his own fortunes on the wrongs of his injured sovereign. In the eyes of theologians, or in the eyes of historians who take their inspiration from theological systems, the saint changes into the devil and the devil into the saint, as the point of view is shifted from one creed to another. But

facts prevail at last, however passionate the predilection ; and when the verdict of plain human sense can get itself pronounced, the "good Regent" will take his place among the best and greatest men who have ever lived.

Measured by years his career was wonderfully brief. He was twenty-five when the English were at Leith ; he was thirty-five when he was killed. But in times of revolution men mature quickly. His lot had been cast in the midst of convulsions when, at any moment, had he cared for personal advantages, a safe and prosperous course lay open to him ; but so far as his conduct can be traced, his interests were divided only between duty to his country, duty, as he understood it, to God, and affection for his unfortunate sister. France tried in vain to bribe him, for he knew that the true good of Scotland lay in alliance and eventual union with its ancient enemy ; and he preferred to be used, trifled with, or trampled on by Elizabeth to being the trusted and valued friend of Catherine de Medici. In all Europe there was not a man more profoundly true to the principles of the Reformation, or more consistently—in the best sense of the word—a servant of God. His house was compared to "a holy temple," where no foul word was ever spoken. A chapter of the Bible was read every day after dinner and supper in his family. One or more ministers of the Kirk were usually among his guests, and the conversation chiefly turned on some serious subject. Yet no one was more free from sour austerity. He quarrelled once with Knox, "so that they spoke not together for eighteen months," because his nature shrunk from extremity of intolerance, because he insisted that while his sister remained a Cath-

olic she should not be interdicted from the mass. The hard convictions of the old Reformer were justified by the result. The mass in those days meant intrigue, conspiracy, rebellion, murder, if nothing else would serve; and better it would have been for Mary Stuart, better for Scotland, better for the broad welfare of Europe, if it had been held at arms' length while the battle lasted, by every country from which it had once been expelled. But the errors of Murray — if it may be so said of any errors — deserved rather to be admired than condemned. In the later differences which arose between him and the Queen, he kept at her side so long as he could hold her back from wrong. He resisted her by force, when in marrying Darnley she seemed plunging into an element in which she or the Reformation would be wrecked; and when he failed and in failing was disowned with insults by Elizabeth, he alone of all his party never swerved through personal resentment from the even tenor of his course.

Afterwards, when his sister turned aside from the pursuit of thrones to lust and crime, Murray took no part in the wild revenge which followed. He withdrew from a scene where no honourable man could remain with life, and returned only to save her from judicial retribution. Only at last when she forced upon him the alternative of treating her as a public enemy or of abandoning Scotland to anarchy and ruin, he took his final post at the head of all that was good and noble among his countrymen, and there met the fate which from that moment was marked out for him.

As a ruler he was severe but inflexibly just. The corruption which had begun at the throne had saturated the courts of law. In the short leisure which he

could snatch from his own labours he sat on trials with the judges ; and “ his presence struck such reverence into them that the poor were not oppressed by false accusations, nor tired out by long attendance, nor their causes put off to gratify the rich.” He had his father’s virtues without his father’s infirmities ; and so with such poor resources as he could command at home, with hollow support from England, and concentrating upon his own person the malignity of political hatred and spurious sentiment, he held on upon his road till the end came and he was taken away.

Scotland was struck to the heart by his death. The pathetic intensity of popular feeling found expression in a ballad which was published at Edinburgh immediately after Murray’s death. It was written probably by Robert Lord Sempell, on whose arm he leant after he was wounded.¹

¹ The Exhortatioun to all pleasand thingis quhairin man can haif delyte to withdraw thair plesur from mankynde, and to deploir the cruell Murther of umquhile my Lord Regentis Grace.

Ye Mountaines murne, ye valayis wepe,
 Ye clouds and Firmament,
 Ye fluids dry up, ye seyis so depe
 Deploir our lait Regent.
 Ye greinis grow gray, ye gowanis dune,
 Ye hard rocks ryve for sorrow:
 Ye mariguldis forbid the sune
 To oppin yow euerie morrow.

Thow Lauand lurk, thow Time be tint,
 Thow Margelene swaif,
 Thow Camomyld, ye balme and mint,
 Your fragrant odouris laif.
 Ye Baselik and Jonet flouris,
 Ye Gerofleis so sweet:
 And Violatis hap you with schouris
 Of hailstaines, snaw, and sleit.

Thow grene Roismary hyde thy heid,
 Schaw not thy fair blew blumis:

The strife of faction was hushed in the great grief
which fell on all in whom generous feeling was not ut-
terly extinguished. Those who had been loudest in

In signe of dule lat na grene blaid
On Lowraine grow or brwnis.
Ye fruitfull treis produce na frute:
And ye fair Rois treis widder:
In earth ye sweet flouris take na rute,
But wallow altogidder.

Cum Nettillis, thornie breiris and rew,
With all foull filthie weid,
Now plant yow quhair thir sweet flouris grew
And place yow in their steild.
Ye pleasant byrdis lat be your sang,
Your mirth in murning turne,
And tak the Turtill yow amang
To leirne yow how to murne.

Thow luifsum Lark and gay Gold-spink,
Thow mirthfull Nychtingaill,
Lat be your heuinly notes and think
His deith for to bewaill.
Ye pleasand Paun and Papingaw,
Cast off your blythlyke cullour,
And tak the feddrum of the Crow
In signe of wo and dolour.

New burne thyself, O Phoenix fair,
Not to reuive againe,
That we may him to thee compair,
Quhais lyke dois not remaine.
Thow Pelican, prepare thy beik
And grinde it scharpe and lang,
To peirs our breistis that we may seik
How to reuenge this wrang.

All birdis and beistis, all hillis and holtis
All greinis and plesand treis,
All Lambis and Kiddis, all Caluis and Colts
Absent yow from men's eyis.
Ye gieds and howlets, rauins and rukis,
Ye Crawlis and Corbeis blak,
Thair guttis mot be among your clutis
That did this bludy fact.

their outcries against him were shamed by his loss into forgetfulness of their petty grievances, and desired only to revenge a crime which had a second time brought dishonour upon their country. A party of Hamiltons appeared in Edinburgh the day after the murder, expecting to be received with enthusiasm and to have the castle gates thrown open to them; they found Grange and Maitland, and Lord Hume, in Council with Morton, and themselves the object of universal indignation and rage. Bothwellhaugh had been nothing but the tool of his race. In such a case it was said neither "order of law" nor form was necessary; "war should be declared against the whole house of Hamilton, and they should be extirpated root

Ye instruments of euerie sort,
That gaif to mankynde plesure,
Now turne your melodie and sport
In murning and displeasure.
Ye Sone and Mone, and Planetis sevin,
Ye glystring starris bricht,
All ye celestiale hoste of heuin
Absconce yow from mens sicht.

Ye Yeiris and monethis, dayis and houris,
Your naturall course withdraw,
In Somer time be winter schouris,
Sleit, hailstaines, frost and snaw.
For why, sum men dois trauell now
To turne all upsyde downe,
And als to seik the maner how
To reif the King his crowne.

We had ane Prince of gude renoun,
That Justice did desyre,
Aganis quhome the Hammiltoun
Did traterously conspyre.
Quha schot him of the Bischoppis stair
In Lythgow thair Londoun,
To bruik this byworde euer mair
Fy, Traitor Hammiltoun.

and branch.”¹ “The murder was so odious,” wrote Lord Hunsdon, “and the death so lamented with every honest man, as, where there were great factions grown and many private quarrels among them, they were all presently reconciled, and had avowed the revenge.” “Grange would spend life and goods in the quarrel.” Elizabeth “might frame the Lords as she would, and have of them what she listed, so they might know her full resolution what they might trust to,” so she would rid them finally of the fear with which they were all possessed, that sooner or later, for her own convenience, she would reinstate the deposed Queen.² Even Maitland himself, far gone as he was in intrigue and conspiracy, reopened his disused correspondence with Cecil. He too, like the rest, had been so persuaded that Mary Stuart would come back upon them, that she would triumph at last through Elizabeth’s weakness, that he had cast his fortunes upon her side. Even now at this supreme hour he was ready to return to his old policy, and carry half Scotland with him, if Elizabeth would understand her own mind and adhere to any definite resolution.³

On Elizabeth herself the blow told with terrible power. Whether or no she felt remorse for her own behaviour to Murray, his murder brought home those realities of assassination which had long floated before her as a dream. Never again, she well knew it, would she find another Scot so true to England; never another whose disinterestedness she could try to the

¹ Notes of proceedings on the death of the Regent, February, 1570: *MSS. Scotland*.

² Hunsdon to Elizabeth, January 20: *MSS. Border*. “Assure yourself,” he added, “if you do not take heed of that Scottish Queen she will put you in peril, and that ere it be long, for there are many practices abroad.”

³ Maitland to Cecil, January 26: *Burghley Papers*, Vol. I.

uttermost, who would work for her without help or reward or acknowledgment, and whose constancy she could never exhaust. "His death," she passionately exclaimed, "was the beginning of her own ruin."¹ "She had lost her truest friend." "There was none like him in the world" — "none," she admitted it now — "so useful to herself."²

The French Ambassador feared that in her first alarm she would make short work with the Queen of Scots. That Mary Stuart and the Bishop of Ross had been privy to the Earls' rebellion, had become every day more clear to her. That the Regent's murder came from the same hand, she had too keenly conjectured; and although she declared that if the Queen of Scots tried to murder her as well as her brother, her life should be in no danger,³ yet Elizabeth's fine speeches were not always to be depended upon, and the rebellion, quickened by Murray's death, was showing signs of fresh vitality. The Earl of Westmoreland, who, unless Constable was deceived, had been looking for means of obtaining his pardon, made a destructive foray into Northumberland with Sir Walter Scott of Buccleuch, and ventured down even within sight of Newcastle; and worse than this followed, which might have almost roused Elizabeth at last out of her incurable infirmity of purpose. She could decide

¹ "Ha le sentido esta Reyna mucho, y hizo ayer grandes exclamaciones, diciendo que esto seria el principio de su ruina." — Don Guerau to Philip, January 30.

² "Il n'est pas à croire combien ladicte Dame a vivvement senty la mort ladicte de Moray; pour laquelle s'estant enfermée dans sa chambre elle a escryé avecques larmes qu'elle avoit perdu le meilleur et le plus utile amy qu'elle eut au monde pour l'ayder à se maintenir et conserver en repos." — La Mothe Fénelon au Roy, February 17: *Dépêches*, Vol. II.

³ "Que quand ladicte Reyne d'Escoce auroit bien machiné de la faire tuer d'ung coup de haquebutte, elle pourtant ne consentiroit jamais qu'on touchât ny à sa vie ny à sa personne." — Ibid.

when she would have done better to hesitate, when it was a question of the execution of a few hundred poor men. Where her crown might be forfeited by uncertainty, she was paralysed by incapacity of resolution. It might have been thought that towards Scotland, with such a chance reopened to her, she would have acted energetically at last. When she recovered from her alarm sufficiently to move, it was to take a step which showed the Scots that they had no more to hope from her than before.

Thomas Randolph, who had so long and faithfully served her at Edinburgh, was recalled from his retirement and sent back to his old place. His instructions were to renew old friendships, and to use the present humour of the people to knit together again the English party: but the Lords were to be used collectively as the Regent had been used before; they were to give all and receive nothing. Randolph was told to urge them in the old tone, "to maintain religion," "to keep the Prince safe in Scotland, and admit no French troops among them;" if, however, they pressed to know in return what Elizabeth would do for them, he was forbidden to commit her to anything. He was to give such a general answer "as neither they should be discouraged with doubt of her favour, nor boldened to unreasonable and overhard demands."¹ Had no principles been at work among the Scots which in some degree had neutralized Elizabeth's behaviour to them, she would have worn out their patience, and she would not have had a friend left to herself or England north of Tweed. The actual effect was more than sufficiently disastrous, and meanwhile she had to encounter the last phase of her own Northern Insurrection.

¹ Elizabeth to Sir R. Sadler, January 29: *MSS. Scotland*.

The name of Leonard Dacres had appeared more than once in the examinations of the prisoners. The fugitives, in resentment at his apathy, had spoken freely of his previous connexion with them, and their words had been carried to Berwick to Hunsdon. Old Norton said that if the Queen knew the part which he had played, she would hang him sooner than any one; a letter had been found upon a servant of the Bishop of Ross, in which he was compromised; and Elizabeth, indignant at having been deceived by his smooth speeches, ordered Sussex to take him and send him back to London. It was easier to command than to execute. Lord Dacres, as in the North he was universally called, by lighting a couple of beacon fires could collect four thousand men about him in a few hours, hardy yeomen and their servants, seasoned in the furnace of the Border wars, whose fealty was to the Lord of Naworth, and who were loyal to the Queen only when the Dacres was loyal himself. Naworth Castle contained some hundreds of armed retainers. The Border was but ten miles distant, and two hours' gallop would bring down a flight of moss-troopers from Liddisdale. He had cannon and powder; he was rich and had been long prepared; and situated as he was, he could fight if it served his purpose or fly to Scotland if flight was convenient. To arrest him required a small army, and, infuriated as the people were by the executions, it was a difficult and half desperate enterprise.

Sussex on receiving the Queen's order replied, that as she had been pleased to order her troops to be disbanded, he had no force at his disposition and could not at once obey her. Elizabeth, who did not choose to be contradicted and was brave when bravery was

out of place, wrote again that she would take no excuses. The will, she implied, was more wanting than the power, and she bade Sussex set about the business without another word.

"All actions," he said to Cecil in answer, "were so hardly interpreted, that every man was afraid to do or advise further than was plainly directed." He did not mean to disobey the Queen, he was only unwilling to attempt what without help he could not possibly accomplish. Hunsdon, who was called on to coöperate, said plainly that before fresh work was required of the few men that were left to him, the Queen had better send some money to pay up the arrears of their wages; and both Hunsdon and Sadler, who was still with him at Berwick, believed that there were scoundrels about Elizabeth who were purposely misleading her with advice which they hoped might be fatal to her.¹ Her orders being peremptory, they consulted

¹ — to Cecil, February 6, from Berwick. The writer, whoever he might be, was living with Hunsdon and Sadler, and was on terms of intimacy with Cecil. Another passage in his letter gives a vivid picture of the feelings with which the crisis was regarded by those who wished Elizabeth well. "I know they shoot chiefly at the life of the Queen's Majesty, at her crown, the subversion of the Estate, and the destruction of us all that truly obey and obediently embrace Christ's sincere religion and her Highness's most godly laws. I fear her Highness goeth daily in great danger. Oh Lord, preserve her from privy conspiracy, poison, shot, and all Papistical treacheries. I know you are maligned, envied, and disdained at of the Papists' and rebels' faction more than any of the Privy Council, and surely they have sought all means to supplant you, and still will so practise; for of all men they take you for their deadliest enemy and greatest hinderer. Oh good Mr. Secretary, have an eye to yourself. Beware whom you trust. You know the world. All are not faithful friends that shew fairest faces. Help to overthrow the wicked conspiracy. If the heads may still remain, shortly shall the whole realm repent. Mysterium impie-tatis. The Papists practise day and night.

"Judas non dormit, Sinon incendia miscet.

"Remember the counsel of Sextus Tarquinius. So long as they remain as they do, look for no quietness. And if they get liberty, look not long to live. Well warned well armed."

Lord Scrope at Carlisle. Lord Scrope, with a faint hope that Dacres might save them trouble by submission, invited him to come to Carlisle Castle. He answered from Naworth that he was ill and could not leave his bed, and Scrope at once agreed with the rest, that his arrest could not be ventured safely without troops from the South. For himself, he said that if he raised the whole county of Cumberland, the people would not serve against the Dacres, and if it came to blows they would take the Dacres' side.¹

Spies reported that Naworth was full of men and was provisioned for many weeks. There were cannon on the corner turrets. The castle was protected on one side by a moat, on the other by a deep ravine that sunk precipitously from the foot of the walls. The country was utterly bare, and there was no shelter anywhere to cover an approach. The armoury at Carlisle was practically empty; there were a few old honey-combed guns there, but without carriages and unfit for service. There were no troops left between Berwick and Carlisle beyond the ordinary Border guard, and Westmoreland and Buccleuch were forever in the field, driving "great booties of cattle and sheep," and threatening to burn Newcastle. Bishop Pilkington came panting into Berwick, with the news that Durham was again fermenting. The rebels had sworn "to hang the prebendaries," "whereof they were so afeared that they were ready to fly out of the country."² The communication along the Marches was unsafe. Buccleuch, Herries, Maxwell, Lochinvar, and many other Scots, sent word to Dacres to

¹ Scrope to Cecil, January 31; Scrope to Hunsdon, February 3: *MSS. Border*.

² Hunsdon to Cecil, February 7: *MS. Ibid.*

hold his ground and they and their men would join him at an hour's notice at Naworth;¹ and so far from being able to take him, the English commanders were in daily fear of finding themselves overwhelmed at their posts. It was more dangerous to sit still than to move. On the 19th of February a warning reached Lord Hunsdon, at Berwick, that within two days at most, Buccleuch and Westmoreland would join Dacres with 5000 men, and they would then be past dealing with." He determined to try the chance of a sudden stroke, and, if he failed, to cut his way to Carlisle and join Scrope. With a great effort he collected 1500 men — the Berwick harquebussmen among them, on whose fidelity he could rely. Not a moment was to be lost, and two hours after dark the little force set out from Hexham. The beacons were blazing on hill and church tower, and every hill-side "was full of men, horse and foot, crying and shouting as if they had been mad." As they approached Naworth, scouts brought Hunsdon word that Dacres was waiting for them with twice his own strength; "if he took any overthrow," he knew that the whole North would again be immediately in arms, and his own troops would be destroyed to a man. As surprise was impossible, he thought it better to avoid a battle. The road passed near the castle, but the country was open; and striking off to the left, he passed it shortly after daybreak at two miles' distance. The Gelt river was in front of him, running along a deep gorge between precipitous sandstone cliffs. To attempt to cross, except at the bridge, would be extremely dangerous, and he was obliged to follow the brink of the ravine to recover the road again. Dacres had followed him at a distance, fore-

¹ Scrope to Hunsdon, February 18: *MSS. Border.*

seeing his difficulty. There was a ridge of broken ground to be passed, from which the cliff fell sheer to the river, and where defeat would be destruction. At that spot, as his men were struggling along dragged and weary with their night's march, the Borderers came down on them; and even Hunsdon himself could not withhold his admiration at the brilliancy of their onset. "They gave the proudest charge," he said, "that ever I saw." Retreat being impossible, the Berwick men stood to their arms; they were trained marksmen, as the time then was, and, at close quarters, their harquebusses gave them a terrible advantage. The Borderers staggered under the fire, and, before they could recover themselves, Hunsdon fell on them with a squadron of horse, cut up some hundreds of them, and drove them back in confusion. Having so largely the advantage in numbers, they might still have thrown themselves across the bridge and held the passage of the river; but Dacres of the Crooked Back, so bold in conspiracies, was faint-hearted in the field. When Hunsdon charged, "he fled like a tall gentleman, and never looked behind him till he was in Liddisdale." A trooper seized him by the arm and had almost secured him, but a party of Scots came to his rescue and snatched him from capture and the scaffold.¹ Their leader gone, the Borderers scattered to their homes. Two hundred men who had been left in Naworth fled like the rest, and, by the afternoon, the castle and its guns were surrendered. The victory was complete, but it was one of the many accidents to which Elizabeth was overmuch indebted. Had the battle been lost, as too easily it might have been lost, Lord Hunsdon thought that England would

¹ Hunsdon to the Queen, February 20: *MSS. Border.*

have been lost with it ; and, like a man shuddering at the thought of a danger from which he has narrowly escaped, he tried again to force Elizabeth to look her situation in the face, to think less of money and more of the enormous interests which she was imperilling by her parsimony and vacillations.¹

Elizabeth herself, when the peril was over, admitted that it had been greater than she had supposed. She promised, or Cecil promised for her, that as long as the Earls were in arms in Scotland a larger force should be maintained upon the Borders ; while she herself with her own hand thanked her cousin for his services, and repaid him, not entirely to his own satisfaction, for he never received anything more substantial, with a letter which, if a sovereign's praise could have filled a lean purse, would have made Hunsdon the richest of the Peers.

"I doubt not, my Harry," she wrote, "whether that the victory was given me more joyed me, or that you were by God appointed the instrument of my glory. And I assure you that for my country's sake the first might suffice, but for my heart's contentation the second more pleased me. It likes me not a little that with a good testimony of your faith there is seen a stout courage of your mind that more trusted to the goodness of your quarrel than to the weakness of your numbers. But I can say no more. 'Beatus est ille servus quem cum Dominus venerit inveniet faciendo (*sic*) sua mandata.' And that you may not think you have done nothing for your profit, though you have done much for your honour, I intend to make this ourney somewhat to increase your livelihood, that you

¹ Hunsdon to Cecil, March 3: *MSS. Border*.

may not say to yourself, 'Perditum quod factum est ingrato.'

"Your loving kinswoman,

"ELIZABETH."¹

It is pleasant to be able to say that the cruelties which had followed on the main rebellion were not repeated. So many poor fellows had been killed in the fight that, at Hunsdon's suggestion, a general pardon followed to all who would submit, and in the trials of the prisoners who were not included in the amnesty, mercy also for the future prevailed.

¹ MSS. Border, Rolls House.

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